

ERIK A. OLSON

SHAREHOLDER

SALT LAKE CITY OFFICE

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FIRM MANAGEMENT

Chair, Litigation Section

PRACTICE AREAS

Litigation
Intellectual Property
Appeals
Employment

ADMITTED TO PRACTICE

- All Utah State & Federal Courts
- United States Court of Appeals, Tenth Circuit
- United States Supreme Court

"CLIENTS SHOULD DEMAND RESULTS, AND A TRIAL-CENTERED APPROACH MOST OFTEN ENSURES THE BEST POSSIBLE RESULTS FOR CLIENTS, EVEN IF THE CASE IS SETTLED."

I am a trial lawyer and the chairman of D|J|P's team of 35 litigators. I have tried numerous cases to successful final judgment or verdict, won several appeals, prevailed in many dozens of lawsuits in advance of trial, and obtained hundreds of favorable client settlements. In an age when most cases get

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bogged down in expensive and time-wasting discovery, never to see the courtroom, my goals are to streamline cases, focus on what is important, and expedite proceedings to trial, unless there are strategic reasons for a client to take a different course. Clients should demand results, and a trial-centered approach most often ensures the best possible results for clients, even if the case is settled.



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EDUCATION

University of Utah, S. J. Quinney
College of Law - J.D. (1999)
• Editor-in-Chief, Utah Law Review
• Finalist, Traynor Moot Court
Competition

University of Utah - B.A., English
(1996)

PROFESSIONAL & CIVIC

ACTIVITIES

Board Member, Utah Chapter of the
Federal Bar Association

Named in Utah Business Magazine’s
“Legal Elite” (2007, 2008, 2009, 2010,
2011)

Named as a Mountain States Super
Lawyers “Rising Star” (2008, 2009,
2010, 2011)

Judge Pro Tempore, Salt Lake City
Justice Court (2002 to present)

Board Member, University of Utah,
S.J. Quinney College of Law Young
Alumni Association (2006 to 2009)

President and Founding Board
Member, Canyon Rim Academy
Charter School (2006 to present)

Member of Mi Duole Road Cycling
Club, a Firm-Sponsored Cycling Team
Founded in 1984

Democratic Party Precinct Chairman
and State Party Delegate

USSF-Licensed Volunteer Youth
Soccer Coach (2003 to present)

I handle all varieties of business litigation cases, ranging from simple to intricate. I specialize in intellectual property disputes, fights between employers and former employees over noncompetes and other employment covenants (typically in TRO and preliminary injunction proceedings), business breakups, and other contentious and complex matters. I am well-versed in antitrust law and the application of economic principles to litigation matters. Additionally, I have collected millions of dollars for banks, private lenders, and judgment creditors in complex matters often involving alter ego claims, fraudulent transfers, and successor liability.

My greatest compliments have been when parties I have defeated at trial have later hired me as their counsel. My greatest strengths include writing persuasive briefs and providing convincing oral argument in court. I use technology to reduce client fees, particularly during the discovery process, and I structure client fee agreements creatively to give clients the most bang for their buck, even partnering with clients to take on risk when appropriate.

Feel free to call or e-mail me if you have a litigation problem brewing or you are looking for new counsel.

Mr. Olson is a Shareholder in the Salt Lake City Office and Chair of the Firm’s Litigation Section. During law school, Mr. Olson worked as D|J|P’s first law clerk, while serving as Editor-in-Chief of the Utah Law Review. After completing a one-year clerkship at the Utah Supreme Court, Mr. Olson rejoined D|J|P and has established himself as one of Utah’s leading young trial and appellate lawyers. He has tried numerous cases and handled numerous appeals, which have resulted in significant Utah decisions in landlord-tenant law, employment law, and the law of damages, among other areas of law. He has been recognized by his peers as a rising star in the Utah legal community, having been named to Utah Business’s Legal Elite five years in a row and Mountain States Super Lawyers’ Rising Stars list four years running.

Mr. Olson prides himself on staying involved in his community. He has spent 10 years volunteering as a small claims judge. More than five years ago, he spearheaded the effort to create Canyon Rim Academy, which has become one of Utah’s most successful K-6 charter schools, and he has been actively involved with the school ever since. As an advocate for public education and community welfare, he works closely with state and

local political representatives on campaigns and grass-roots efforts benefiting children and community. Each year he fits in time with the kids on the soccer pitch, and time on canyon roads in the dark to prepare for the annual Logan to Jackson bike race each September. Mr. Olson speaks Italian and French.

REPRESENTATIVE CASES

Won a one-week trial for a large commercial tenant, defeating a landlord/partner's eviction and treble damages claims totaling several million dollars, and winning a judgment for attorney fees and court costs.

Won a judgment for damages and attorney fees at trial against the purchaser of a business, who stopped making payments on the grounds of alleged securities fraud.

Successfully defended a lawn services company and 25 of its employees against claims by a competitor for tortious interference, breach of noncompetition, nondisclosure, nonsolicitation, and noninterference covenants, and punitive damages. The federal court excluded each of the plaintiff's damages experts and entered summary judgment dismissing the plaintiff's claims, estimated by the plaintiff at several million dollars. The Utah Supreme Court resolved certified questions about the dispute in favor of clients.

Before engaging in significant discovery, obtained a multi-million-dollar settlement from a Fortune 500 company on claims for misappropriation of a former spokesperson's identity, voice, and likeness in its ongoing product advertising.

In an antitrust case against a Fortune 500 company, obtained a no-knock seizure order where computer forensic analysis showed that defendant's employee had attempted to hack into the plaintiff's computer systems and download source code. Also obtained a favorable settlement after the U.S. Marshals assisted in serving the order.

In a complex trial over a failed real estate development, obtained

a ruling excluding the plaintiff's damages expert, whose theories had included several million dollars in damages.

Representing the other shareholders and members of a number of corporate entities that own and operate a massive real estate development, obtained an injunction removing the former manager of the entities, who had engaged in various wrongful and oppressive acts.

With the assistance of a computer forensics expert in a securities litigation matter, defeated the defendant's motion for summary judgment, and obtained default judgment as a sanction against the defendant for his spoliation of relevant evidence.

Representing owners of a limited liability company, successfully won the dismissal of claims brought directly, rather than derivatively, by another shareholder.

Winning at trial, defeated a landlord's unlawful detainer claim and obtained a judgment for damages and attorney fees on his client's forcible detainer claim.

Won and collected a six-figure treble-damages judgment for a commercial tenant in a forcible detainer case against its landlord

On the eve of trial, obtained nearly one million dollars in a settlement of a private lender's claim against the subsequent owners of the borrower.

Collected a twenty-five-year-old judgment after tracking down the judgment debtor, who had gone into hiding in California.

REPORTED DECISIONS

Kenny v. Rich, 186 P.3d 989 (Utah Ct. App. 2008), cert. denied, 199 P.3d 970 (Utah 2008), cert. denied, 129 S. Ct. 1628 (2009)

Ellsworth Paulsen Construction Co. v. 51-SPR-L.L.C., 144 P.3d 261 (Utah Ct. App. 2006), affirmed 183 P.3d 248 (Utah 2008)

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Ashton v. Learnframe, Inc., 185 P.3d 1135 (Utah Ct. App. 2008), cert denied, 199 P.3d 970 (Utah 2008), summary disposition granted, 2009 UT App 172

TruGreen Companies, LLC v. Scotts Lawn Service, 508 F. Supp. 2d 937 (D. Utah 2007); 2007 U.S. Dist. LEXIS 41914; 199 P.3d 929 (Utah 2008)

Phone Directories Co. v. Clark, 209 Fed. Appx. 808 (10th Cir. 2006)

Aris Vision Institute, Inc. v. Wasatch Property Management, Inc., 143 P.3d 278 (Utah 2006), affirming 121 P.3d 24 (Utah Ct. App. 2005)

Still Standing Stable, LLC v. Allen, 122 P.3d 556 (Utah 2005)

Jacobsen Constr. Co. v. Teton Builders, 106 P.3d 719 (Utah 2005)

EXPERTISE. VISION. INTEGRITY.

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