



Derek Kearn

Partner

222 South Main Street, Suite 2200, Salt Lake City, UT 84101

P 801.799.5857

jdkearl@hollandhart.com

Derek effectively represents clients, guiding them through the complexities of civil litigation cases before state and federal courts and in securities enforcement actions before the Securities and Exchange Commission.

In addition to his practice representing auditors, Derek also has significant experience in virtually all aspects of litigation before state and federal courts throughout the country.

Prior to joining Holland & Hart, Derek was an associate at Howrey LLP, where he represented one of the Big Four accounting firms in professional negligence actions, securities class actions, and securities enforcement actions and investigations. He also played a key role on a trial team that successfully represented an audit partner of a large accounting firm before an administrative law judge, resulting in the dismissal of all charges.

PRACTICES

Securities Enforcement and Shareholder Litigation
IP Litigation
Commercial Litigation
Government Investigations and White Collar Defense

EDUCATION

J. Reuben Clark Law School, Brigham Young University, J.D., 2005
Managing Editor of Articles, Managing Board, *BYU Journal of Public Law*
Brigham Young University, B.S., 2001
Economics and Russian

BAR ADMISSIONS

Utah

PUBLICATIONS

"Curb Your Enthusiasm: The Rise of Enforcement Actions and Securities Litigation Involving Digital Currencies and Blockchain," *Holland & Hart News Update*, Co-Author, 10/03/2018

"SEC Issues First Ever Enforcement Action For Failure to Disclose a Data Breach, Obtaining \$35 Million Penalty," *Holland & Hart News Update*, 05/18/2018

"SEC Provides Long-Awaited Guidance on Cybersecurity Disclosures," *Holland & Hart News Update*, Co-Author, 03/05/2018

"Are You TCPA Compliant?: Large Healthcare Provider Facing Class-Action Lawsuit For Telephone Consumer Protection Act Violations," *Holland & Hart News Update*, 2/26/2016

SPEAKING ENGAGEMENTS

"Cybersecurity in Healthcare – What HHS Wants You to Know (and Do!)," 04/04/2019

"TCPA Compliance in the Healthcare Industry: Understanding and Mitigating Risks," 03/21/2019

"Hi-Tech Hub Breakfast Series: Cyber Privacy Law," 03/20/2019

"Cybersecurity Breakfast Series: Demystifying Distributed Ledger

Technology (the Blockchain)," 04/11/2018

RECOGNITION

- Mountain States Super Lawyers®, Business Litigation, 2018
- Mountain States Super Lawyers® Rising Stars, Securities Litigation, 2008, 2015-2016; Business Litigation, 2017
- *Benchmark Litigation*, Future Star, 2018
- *Utah Business Magazine*, Utah Legal Elite, Civil Litigation, 2015, 2016

PROFESSIONAL AND CIVIC AFFILIATIONS

- Utah State Bar, Member
Litigation Section
Young Lawyers Division Community Service Committee 2006-2007
- Salt Lake Chamber of Commerce Leadership Utah, Class of 2011-2012