

*Lewis Francis specializes in providing business and employment-based immigration solutions for a global marketplace. He is also talented at resolving complicated commercial disputes involving franchisors and franchisees, direct-selling (MLM) companies and distributors, trademarks, copyrights and unfair competition, whether in federal court, state court, or arbitration. To that end, he has successfully enforced arbitration provisions of every type in various venues across the country and on appeal.*



## Lewis M. Francis

Shareholder | Salt Lake City

### Biography

Licensed in both Utah and California, Lewis Francis has more than 25 years of experience in litigating, arbitrating and mediating disputes involving franchise and distributor agreements, arbitration clauses, trademarks, copyrights, unfair competition and land use decisions in various state and federal jurisdictions across the United States. He also regularly pursues and opposes both preliminary injunctions and permanent relief.

Mr. Francis is also well versed in obtaining the necessary business immigration visas for specialized temporary employees, such as those qualifying for H-1B, E-3, TN, O-1 or L-1A and L-1Bs. He also has considerable experience in securing U.S. permanent residency (green card applications) for immigrant workers, including through PERM Labor Certification in the EB-2 and EB-3 classifications as well direct applications in the EB-1, Multinational Executive/Manager and National Interest Waiver categories. Mr. Francis regularly represents companies in the banking, financial services, aquaculture, natural resources, information technology and software development industries in their applications to the U.S. Citizenship and Immigration Services, Department of State and Border Control.

### Contact information

801.536.6859

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### Capabilities

Immigration Law  
 Direct Sales & Multi-Level Marketing  
 Trademark & Trade Dress Litigation  
 Copyright Litigation  
 Federal Circuit Appeals  
 Business & Commercial Litigation

### Licensed/Admitted

Utah  
 California  
 U.S. Dist. Court, Dist. of Utah  
 U.S. Dist. Court, Northern Dist. of California  
 U.S. Dist. Court, Southern Dist. of California

*A Different*  
**LEGAL**  
**PERSPECTIVE**

**Licensed/Admitted** (cont'd)

U.S. Dist. Court, Central Dist. of California  
 U.S. Court of Appeals, 9th Circuit  
 U.S. Court of Appeals, 10th Circuit  
 U.S. District Court of Appeals, 11th Circuit  
 U.S. Supreme Court

**Experience****Real Property Management v. Randall Averitte**

Helped Franchisor enforce post-termination obligations of Franchise Agreement against non-renewing franchisee by obtaining a Preliminary Injunction. Court ordered cessation of competing business, all associated trademarks, and any use of franchise client information.

**Apex Energy Solutions v. Apex Energy Group, LLC**

Represented franchisee in obtaining Temporary Restraining Order against franchisor's attempts to terminate business. Used leverage to obtain settlement with franchisor.

**Kelley/JMK/USA Enterprises v. Unishippers Global Logistics**

Obtained order compelling arbitration of claims made in California State Court by former California franchisee against franchisor and its individual officers. Court also ordered that arbitration take place in Utah, where the company and its officers were located.

**Accomplishments****Professional**

Panel Member, AAA-ICDR  
 Commercial Panel AAA Arbitrator  
 Clerkship, Honorable Gregory K. Orme, Utah Court of Appeals, 1994-1995

**Academic**

S.J. Quinney College of Law, University of Utah, Salt Lake City, Utah, J.D.

- Order of the Coif, 1993
- Utah Law Review

University of Utah, Salt Lake City, Utah, B.S., magna cum laude, Economics & Spanish, 1986

Instituto de Estudios Europeos, Madrid, Spain 1985

**Associations****Professional**

American Immigration Lawyers Association  
 International Franchise Association  
 ABA Franchise Forum  
 Utah State Bar Franchise Section

**Community**

Board Member/Chairperson, Spy Hop Youth Media Organization; 2006 - 2019  
 Board Member of Preservation Utah (formerly Utah Heritage Foundation): 2008 to 2016  
 Chair of Salt Lake Modern- Mid-Century Modern Preservation Group: 2013 to 2016

## Articles

“2023 H-1B Visa Lottery Registration Starts March 1” *Employment Law Update* Feb. 23, 2023

“USCIS Proposes Substantial Fee Increases for Employment-Based Immigration Applications and Will Impose an Unrelated Asylum Application Tax on Employers,” *Employment Law Update*, Jan. 17, 2023

“Double or triple immigration fees? Here’s how increases would impact Utahns,” *KSL.com*, Jan. 9, 2023

“I.C.E. Recognizes Continued Need for Remote I-9 Compliance Review; U.S.C.I.S. Permanently Relaxes Original Signature Requirements,” *Employment Law Update*, Aug. 30, 2022

## Presentations

Business Immigration Nuts and Bolts, Parsons Behle & Latimer/SHRM 2024 Salt Lake City Employment Law Seminar May 14, 2024