

*Tom Barton has a successful commercial litigation practice centered around disputes in Utah courts. Although Tom attended school in the Eastern United States, he was raised in Utah and is familiar with its business and judicial landscapes. Clients and colleagues value his professionalism, judgment, skill and dedication to his practice.*



## Thomas R. Barton

Shareholder | Salt Lake City

### Biography

Tom Barton is an experienced commercial attorney who has litigated a wide variety of business matters: contract disputes, corporate fights, professional liability cases, tax and estate litigation, natural resource conflicts and employment matters. He has tried cases in the state, federal, and tax courts, administrative forums and handled appeals. Tom has been appointed as a federal equity receiver in the United States District Court, District of Utah – most recently in *FTC v. National Website Design, LLC et al.*, Case No. 2:20-cv-00846-RJS. Before joining Parsons Behle & Latimer in 2019, Mr. Barton practiced with two highly respected Salt Lake law firms and served as a director at both.

### Experience

#### **Armstrong v. Sabin, Case No. 2:20-cv-261-TS-DAO, United States District Court, District of Utah**

Defended clients in judicial dissolution case, and obtained favorable valuation for minority shareholder that allowed her to obtain sole ownership of the company.

#### **Federal Trade Commission v. National Website Design, LLC, et al., Case No. 2:20-cv-846-RJS**

Court-appointed receiver for Utah internet marketing company.

#### **Chard v. Chard, 2019 UT App 209**

Successfully represented defendants in a complex corporate lawsuit concerning a family-owned business.

#### **Federal Trade Commission v. Elite IT Partners, Inc. et al., Case No. 2:19-cv-125 RJS**

Court appointed receiver for Utah IT company.

### Contact information

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### Capabilities

Business & Commercial Litigation

Appeals

Real Estate Litigation

Business Bankruptcy & Restructuring

Tax Controversies

Trade Secret Litigation

Employment Litigation

### Licensed/Admitted

Utah

U.S. Dist. Court, Dist. of Utah

U.S. Court of Appeals, 10th Circuit

U.S. Tax Court

**United States of America v. Johnson, et. al, Case Nos. 17-4093 and 18-4036 (10th Cir., 2019); see also 224 F.Supp.3d 1220 (D. Utah 2016)**

Transferree liability for unpaid federal estate taxes and statute of limitations issues.

**Training Table Restaurants v. TT Three LC, et al, Case No. 20170222-CA, Utah Court of Appeals**

Commercial eviction case.

**Wing v. Buchanan, 2:08-cv-803 DB**

Court appointed receiver (2014) for individual investor as part of a larger receivership in SEC v. Vescor, 1:08-cv-012 DB.

**Ramsay v. Kane County, 2014 UT 5, 322 P.3d 1163 (2014); see also 2012 UT App. 97**

Group retirement benefit plan dispute.

**Living Rivers v. Board of Oil Gas & Mining, 2012 UT App. 133**

Hydrocarbon injection well permit.

**Margae v. Clear Link, 620 F.Supp.2d 1284 (D. Utah, 2009)**

Dispute over the ownership of marketing webpages and related damages.

**Talisker Corp. v. Prime West Jordanelle, 2008 U.S. Dist. LEXIS 69268 (D. Utah, 2008)**

Trademark case where the court issued a preliminary injunction.

**Marble Point v. Majestic Capital Group, et al., 2:06-cv-0487 (D. Utah, 2006)**

Case involving international fraud and collection proceedings around the world.

**Society of Lloyds v. Bennett, 2006 U.S.App. LEXIS 18859 (10th Cir., 2006); see also Society of Lloyds v. Reinhart, 402 F.3d 982 (10th Cir., 2005)**

Foreign judgment enforcement action and subsequent collection efforts.

**Carlson Distributing v. Salt Lake Brewers Cooperative, 2004 UT App 227.**

Contract dispute related to beverage distribution.

**Bearden v. Wardley Corp., 2003 Utah App 171**

Fraud in real estate dealings.

**Harmon City, Inc. v. Draper City, 2000 UT App 31**

Zoning dispute.

**Gregersen v. IRS, T.C. Memo 2000-325 (U.S. Tax Court, 2000)**

Income tax deductions.

**South Central Telephone v. Utah Tax Comm'n, 951 P.2d 218 (Utah, 1997)**

Sales tax on equipment purchases.

**Gull Labs v. Utah Tax Comm'n, 936 P.2d 1082 (Utah App., 1997)**

Sales tax on scientific material.

## Accomplishments

### Professional

AV (Preeminent) Rating, Martindale Hubbell

*Utah Business Magazine*, Utah Legal Elite (2021 and various prior years: civil litigation)

*Mountain States Super Lawyers* (2022 and various prior years in business litigation)

Utah Philanthropy Day, Heart in Hands Award Recipient, 2012

### **Academic**

University of Virginia (J.D., 1994)

College of William & Mary (B.A., 1990, English)

### **Associations**

#### **Professional**

Utah State Bar

Salt Lake County Bar

Federal Bar Association

David K. Watkiss-Sutherland II American Inn of Court

National Association of Federal Equity Receivers

#### **Community**

Tracy Aviary, Board of Directors (2005 to present, Chair 2011-12)

Planned Parenthood Association of Utah, Board of Directors (1998-2000)