

## Monica S. Call

### Partner

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Salt Lake City

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Monica Call is a skilled litigator representing companies and individual clients in complex litigation in state and federal courts and in arbitration. She assists clients in a wide variety of business litigation disputes, including commercial contract, business tort, antitrust and unfair competition, intellectual property, securities, professional liability, and corporate governance matters. Monica is experienced in litigating license agreement and trademark disputes as well as employment disputes involving covenants not to compete and nondisclosure obligations. She also represents clients in government investigations. Monica enjoys collaborating with clients to resolve disputes and to strategically mitigate litigation risks. She represents clients across all industries with particular experience in the healthcare, technology, and energy industries.

Monica is the Office Managing Partner of the Salt Lake City office. She also serves as the Litigation Practice Group Leader for the West Region. She is a Salt Lake City-based partner in the firm's Litigation Department and a member of the Business Litigation & Dispute Resolution Practice Group.

Monica also dedicates time to serving in her community and volunteers with various non-profit organizations that focus on women and children.

### Representative Experience\*

#### Complex Commercial Litigation

- Represented clients in federal and state courts and in arbitrations in cases concerning various types of contracts including disputes over partnership agreements, commercial lease agreements, purchase agreements, franchise agreements, license agreements, and vendor agreements. Succeeded in briefing and arguing motions that either disposed of claims or prompted favorable settlements.
- Defended clients in business tort litigation including allegations of fraud, misrepresentation, breach of fiduciary duty, unfair competition, tortious interference, and RICO violations.
- Represented clients in partnership and corporate control disputes.

- Secured dismissal of claims against corporate executives in contract and business tort disputes in federal and state courts.

## **Intellectual Property**

- Represented clients in various intellectual property disputes including litigation over patents, license agreements, trademarks, and trade secrets.
- Represented clients in bringing actions for unauthorized online sales.
- Successfully defended against preliminary injunctions in federal and state courts.

## **Antitrust & Unfair Competition**

- Represented clients in state and federal courts in high-stakes litigation alleging violations of Sections 1 and 2 of Sherman Act and similar state statutes and unfair competition.
- Represented clients in responding to government investigations involving claims of antitrust, consumer protection, and unfair competition.

## **Professional Liability**

- Defended a regional law firm and lawyer in legal malpractice actions. Obtained dismissal of all claims in the first action. After prevailing on several important summary judgment rulings, the second case settled on favorable terms.
- Represented officers and directors in a breach of fiduciary duties case.

## **Internal Investigations**

- Conducted internal corporate investigations for public and nonprofit corporations concerning matters of state and federal law.

## **Securities Defense**

- Defended companies, officers, and directors in securities class action and shareholder derivative suits involving allegations of fraud in federal court. Obtained dismissals with prejudice.
- Represented individuals and entities under investigation or subpoenaed by the Securities and Exchange Commission.

## **Employment**

- Represented corporations in disputes involving non-compete agreements and breach of non-disclosure obligations.
- Succeeded in obtaining preliminary injunctions.

## **Other Litigation**

- Defended construction company against breach of contract allegations brought by a secured creditor of a subcontractor. Obtained dismissal of all claims in federal and state court cases and in AAA arbitration.

- Defended a municipality against Section 1983 claims in federal court. Obtained dismissal of all claims and successfully defended the dismissal on appeal to the 10th Circuit.
- Defended adoptive parents in a case brought by birthfather in federal court. Secured dismissal of all claims.

*\*Certain of these matters were handled prior to joining Foley.*

### **Awards and Recognition**

- Selected by *Utah Business Magazine* as Legal Elite, 2024
- Recognized in *Chambers USA: America's Leading Lawyers for Business* – Litigation: General Commercial (2024)
- Selected by *Utah Business* as one of the 2023 Women of the Year
- Listed in *Mountain States Super Lawyers*® (Business Litigation, Intellectual Property Litigation, Professional Liability, Employment Litigation: Defense) (2013–2023)
- Named by *Mountain States Super Lawyers*® as one of the Top 50 Women Lawyers (2014 & 2020)
- Included in *The Best Lawyers in America*® (currently: Commercial Litigation, Litigation – Intellectual Property) (2022)
- Listed in *Utah Business* Legal Elite (Civil Litigation) (2015–2018, 2020)
- Selected as Fellow by the Litigation Counsel of America (2014–present)
- International Association of Defense Counsel Trial Academy, Stanford University (2011)
- E. Randolph Williams Award for “Outstanding Pro Bono Service” (2005–2006)

### **Presentations and Publications**

- Speaker, “Making it Count: Being the Only Woman in the Room,” *YWCA Utah, Young Women's Leadership Summit*, Salt Lake City, Utah (March 6, 2020)
- Speaker, “Strategies for Responding to Government Investigations and Enforcement Actions,” *Seattle Chapter of the CFO Leadership Council*, Seattle, Washington (May 17, 2018)
- Speaker, “Lessons Learned from Opie Taylor, Walter White, and Cyndi Lauper: How the Recent Developments in the Attorney-Client Privilege and Work Product Doctrine Will Impact Your Practice,” *Utah Summer Bar Convention*, San Diego, California (July 7, 2016)

### **Civic Activities**

- Committee Member, Local Rules Committee for the Federal District Court for the District of Utah (2024–present)
- Trustee, Legal Aid Society of Salt Lake (2019–present) Mentor, YWCA Utah YWEmpowered Program (2018–2021)
- President Elect and Volunteer, National Charity League, Salt Lake City Chapter (2021 – Present)
- Co-Chair, Stanford Law School Salt Lake City Chapter, Ex-Officio Member of Stanford Law School Board of Visitors (2012-2021)

- Trustee, Tracy Aviary Board of Trustees, Chair of Governance Committee and Member of Executive Committee (2008-2016)

## Affiliations

- Member, Trial Law Institute
- Member, Diversity Law Institute
- Member, Federal Bar Association
- Member, Utah State Bar, Litigation Section
- Member, Virginia State Bar

## Sectors

- [Energy](#)
- [Health Care & Life Sciences](#)

## Practice Areas

- [Business Litigation & Dispute Resolution](#)
- [Government Enforcement Defense & Investigations](#)
- [Litigation](#)
- [Securities Enforcement & Litigation](#)

## Education

- Stanford Law School (J.D., 2004)
  - Assistant Managing Editor, *Stanford Law & Policy Review*
  - Editor, *Stanford Environmental Law Journal*
- University of Utah (B.S., magna cum laude, 2001)
  - Honors at Entrance scholarship
  - University of Utah Women's Club scholarship
  - Hinckley Institute of Politics Citizenship Award (1999)

## Admissions

- Utah
- Virginia
- U.S. Courts of Appeals for the Third, Ninth and Tenth Circuits
- U.S. District Courts for the District of Utah and the Eastern and Western Districts of Virginia