

## Richard F. Ensor

**Partner**  
**Practice Group Chair, Litigation**

### Overview

Clients rely on Rick's deep understanding of the mediation, arbitration, litigation, and appellate processes. Rick has been the lead trial attorney on a variety of complex cases presented to juries, judges, and arbitrators.

His practice predominately focuses on business disputes, lease/contract disputes, construction disputes, securities cases, and trade secret issues.

In recent years, he has successfully tried disputes relating to:

- Construction defects
- Breach of non-competition agreements
- Breach of leasing agreements
- Violations of the Utah Trade Secret Act
- Corporate acquisitions and partnership issues
- Title to real property

### Experience

Rick's strong organizational skills enable him to begin an engagement with a thorough understanding of the facts and legal issues in order to develop a strategy; to provide honest advice to the client; and to handle all aspects of complex arbitration, litigation, trial, and other dispute resolutions. This approach has resulted in wins with the following representative engagements:

- Plastic barricade company vs. plastics manufacturer – Represented company in dispute with manufacturer. Obtained jury verdict against manufacturer after a five day trial.
- *Tarver v. Conexus, Inc.*, No. 110908877 (Utah 3d Judicial Dist. Salt Lake Cty. filed Apr. 4, 2011) – Represented company in dispute with minority shareholder. Obtained successful result after bench trial.



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#### Legal Assistant

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#### Practices

Commercial Litigation  
Litigation

- *Harman v. Wilson-Davis & Co.*, No. 14-02935, 2015 FINRA Arb. LEXIS 1072 (FINRA Dec. 22, 2015) – represented broker-dealer in FINRA arbitration hearing. Obtained complete dismissal of plaintiffs’ claims after two week arbitration hearing.
- *CDC Restoration & Construction L.C. v. Tradesmen Contractors, LLC*, No. 080908435 (Utah 3d Judicial Dist. Salt Lake Cty. judgment entered Jan. 7, 2013) – Represented contractor in asserting Utah Trade Secret Act claim. Obtained a \$1.3 million jury verdict in favor of client. The Utah Court of Appeals upheld the jury’s verdict in its entirety.
- *TFG-North Carolina, L.P. v. Performance Fibers, Inc.*, No. 08-cv-942 (D. Utah Filed Dec. 5, 2008) – Represented leasing company in dispute with lessee. Obtained partial summary judgment on lessee’s defenses and then tried the remaining defenses, achieving a multi-million dollar judgment in favor of client.
- *Zimmer v. CHG Companies*, No. 11-cv-681 (D. Utah Filed July 26, 2011) – Represented physician *locum tenens* company against contractor-physician. Obtained complete summary judgment ruling in favor of client.
- *Westport Ins. v. Ong et al*, No. 07-cv-10 (D. Utah Filed Jan. 19, 2007) – Represented insurance company regarding the rights and obligations under professional liability policy and claims of insurance bad faith. Obtained summary judgment, fully resolving all issues in the case in favor of the firm’s client.
- *IOSTAR Corp. v. Stuart et al*, No. 07-cv-133 (D. Utah Filed Oct. 7, 2007) – Represented an individual against allegations of violations of the Utah Trade Secret Act. Obtained summary judgment, fully resolving all issues in the case against the firm’s client. Subsequently obtained award of attorneys’ fees in favor of firm’s client.

## Honors & Recognitions

- Recognized Practitioner, Litigation: General Commercial, *Chambers USA*, 2016-2017, 2019
- Utah Legal Elite, Civil Litigation, *Utah Business* magazine, 2011-present

## Education

- William & Mary Law School, Juris Doctor (J.D.), 1998
- George Mason University, Bachelor of Science (B.S.), 1995

## Admissions

- Utah
- Virginia

## Community Involvement

- And Justice For All
  - Leadership Committee, 2010-2015
  - Co-Chair, Law Day 5K Run, 2008-2014



## Related News

### **PUBLICATION**

Friday 13, 2020

Highlights from the SEC Division of Enforcement 2020 Annual Report

### **NEWS**

Twelve Michael Best Attorneys Honored as 2020 Utah Legal Elite

### **PUBLICATION**

January 30, 2020

Top Issues in 2020: Litigation Avoidance

### **NEWS**

April 26, 2019

Chambers USA Recognizes Twenty-Four Michael Best Partners in 2019 Rankings

### **NEWS**

March 1, 2019

Twelve Michael Best Attorneys Honored as 2019 Utah Legal Elite