



MARK W. LENIHAN

Associate

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BIOGRAPHY

Mark is an experienced litigator who understands the complexities and stakes of his clients' business needs. He concentrates his practice on complex-commercial litigation, including breach of contract, breach of fiduciary duty, and fraud claims. He also helps clients navigate antitrust and intellectual property disputes. Mark represents clients in state and federal courts throughout the country, as well as arbitration.

Mark also assists clients in white-collar criminal defense and internal and regulatory investigations. He has represented clients in front of numerous investigative bodies, including the Department of Justice, Securities Exchange Commission and Federal Trade Commission.

Before joining the firm, Mark worked at Sims|Funk PLC, a litigation boutique in Nashville, and in the Chicago office of Winston & Strawn LLP. Prior to attending law school, Mark served in the Jesuit

Volunteer Corps and taught at a middle school in Camden, New Jersey.

CIVIC INVOLVEMENT & HONORS

- Catholic Charities of Tennessee, Board of Trustees, 2020-2023
- Young Leaders Council, Class of Fall 2018
- Nashville Bar Foundation Leadership Forum, Class of 2019
- Nashville Bar Association, Young Lawyers Division, Board Member, 2019-2023
- Super Lawyers Rising Star 2018-2022

PROFESSIONAL AFFILIATIONS

- American Bar Association

ADMISSIONS

- Missouri, 2023
- Tennessee, 2017
- Illinois, 2013
- U.S. District Court, Eastern District of Tennessee
- U.S. District Court, Middle District of Tennessee
- U.S. District Court, Western District of Tennessee
- U.S. District Court, Northern District of Illinois

EDUCATION

DePaul University, J.D., Order of the Coif, summa cum laude, 2013

Rockhurst University, B.A., cum laude, 2009

RELATED CAPABILITIES

- Business & Commercial Disputes

- Intellectual Property and Technology
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory
- Antitrust

EXPERIENCE

- Representation of healthcare system in merger trial against Federal Trade Commission and state regulatory body, including the investigation leading up to trial.
- Representation of national tool manufacturer in fraud and intellectual property matter brought by competitor.
- Defense of corporate valuation firm in connection with claims made by bankruptcy trustee that firm provided fraudulent valuation opinions, violating its fiduciary duty in the process.
- Defense of Am Law 100 firm in eight-figure legal malpractice action stemming from breach of fiduciary duty and dilution allegations.
- Defense of national mortgage company in two putative class actions alleging fraud and breach of contract.
- Defense of healthcare consultant in breach of contract action brought by hospital system following revenue cycle engagement.
- Representation of numerous individuals and companies in investigations conducted by the Securities and Exchange Commission, Federal Election Commission, Federal Trade Commission, Commodity Futures Trading Commission, state attorneys general, and other regulatory bodies.
- Representation of a multinational construction equipment manufacturer in a Section 1782 discovery action.
- Defense of orthopedic surgeons sued by former employer in breach of contract and business divorce action.

RESOURCES

PUBLICATIONS

- Comment, Major League Soccer Scores an Own Goal: A Successful Joint Venture Attains Market Power in an International Sport, DePaul Law Review, Vol. 62, Issue 3.