

Jay Young

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“I am a mediator and arbitrator of disputes, ranging from complex business and employment matters to personal injury claims.”

Mr. Young concentrates his practice in general civil and commercial/business litigation, as well as serving as a private arbitrator and mediator.

He is a Nevada Supreme Court Settlement Judge, a judge pro tem with the city of Henderson, Nevada Municipal Court, and has been appointed a special master to the Business Court Division of the Eighth Judicial District Court, Clark County, Nevada.

Mr. Young is also a national panelist (Complex Commercial Arbitration and Mediation Panels) with the American Arbitration Association, an arbitrator/mediator with Advanced Resolution Management, and an arbitrator with the Better Business Bureau as well as the Eighth Judicial District Court in Clark County, Nevada. Additionally, he holds a 36-hour ADR certificate, is a graduate of a 40-hour mediator training and a 40-hour arbitrator training, as well as Pepperdine University’s Straus Institute for Dispute Resolution “Advanced Mediation: Skills and Techniques” course.

Business Litigation

- Alternative Dispute Resolution
- Business & Corporate
- Franchising
- Labor, Employment, & Immigration
- Intellectual Property Litigation

Mr. Young’s practice areas include:

Complex Commercial Litigation:

- Litigation on behalf of business plaintiffs and defendants in numerous cases with successful results including in federal and state courts
- Arbitrations before the AAA, JAMS, and other alternative dispute resolution providers on matters including bankruptcy litigation; business torts; breach of fiduciary duties; class actions; contract disputes; corporate, partnership, and LLC governance disputes; covenant of good faith and fair dealing; custodianships; fraud; injunctive relief; lease disputes; professional negligence (malpractice); real estate; receiverships; RICO; shareholder/partner disputes; unfair competition (Lanham Act violations); and unfair trade practices

Franchise Litigation:

- Represent franchisors, franchisees, and area developers in state and federal courts, as well as private arbitration in contract disputes, misrepresentation, misappropriation of trade secrets, non-competition agreements, non-solicitation, and unfair competition

Intellectual Property Litigation:

- Experience in counterfeiting, dilution, defense of trade secrets act, false advertising, misappropriation of trade secrets, trade dress and brand protection, trademark, service mark, and unfair competition (including Lanham Act violations)

Employment Litigation:

- Experience in discrimination; employment contracts; injunctive relief; non-competition agreements; negligent hiring, retention, and supervision; protection of trade secrets; and wrongful discharge

Representative Matters

- Represented a land developer of a sports arena in a dispute with the city over the development agreement. We successfully won summary judgment on the fraud claims. *City of Henderson v. Milam*, 2013 WL 12078304 (Nev. Dist. Ct.).
- Obtained a judgment of non-dischargeability after a debtor replaced precious metal inside a safe, which was held as collateral for a loan, with building bricks. *In re: Goldfinger Goldfinger (All American Jewelry & Loan, LLC v. Goldfinger Goldfinger)*, Adv. No. 11-01156-MKN (Bankr. Nev. 2012).
- Obtained a judgment for fraud and breach of contract against a luxury boat dealership. *Wolfe v. Yakubi*, 2012 WL 10702543 (Nev. Dist. Ct.).
- Represented a felt sponsor of the World Series of Poker ("WSOP") who sued for breach of contract, alleging the WSOP allowed broadcasts of the client's logo to be covered up with a competitor's logo on television broadcasts. *Ultra Internet Media, S.A. v. Harrah's Interactive Entertainment, Inc.*, 2010 WL 5421420 (U.S. District Court, D. Nevada).
- Represented a receiver in marshaling nationwide real estate holdings to secure, preserve, and where necessary, liquidate the same on behalf of thousands of investors who sued under various fraud and contract theories. *In re: USA Commercial Mortgage Company*, No. 2:07-CV-00892-RCJ-GWF (D. Nev. 2009).
- Obtained dismissal of an action for injunction and damages for alleged fraud in the issuance of

stock. *China Northeast Petroleum Holdings, Ltd. v. Topworth*, 2007 WL 1746332 (U.S. District Court, D. Nevada).

- Successfully defended a small nuclear pharmacy against claims of unfair competition and violation of the Lanham Act. The matter settled shortly after the client obtained a favorable ruling on a motion for partial judgment. *Syncor Int'l v. Biotech Pharmacy, Inc.*, No. 2:98-CV-01396 (D. Nev. 2002).
- Prosecuted a class action suit against Nevada Bell (subsidiary of SBC, now AT&T) on behalf of residents of Sandy Valley, Nevada after Nevada Bell unilaterally decided to cease providing telephone service to residents without providing for alternative service. Nevada Bell settled the matter and re-wired the entire valley, built a new substation, and provided service to all its residents. *Rose Rosequist v. Nevada Bell*, U.S. District Court (Nevada).

Education

- Brigham Young University, J. Reuben Clark Law School, 1994
 - J.D.
- Brigham Young University, 1991
 - B.A.

Memberships

- State Bar of Nevada
 - Alternative Dispute Resolution Law Section
- Clark County Bar Association
- Easter Seals Nevada, Board of Directors
- Youth Leadership Authority, Board of Directors
- Toys 4 Smiles Las Vegas, Board of Trustees
- Boy Scouts of America, Troop 462
 - Charter Organization Head, 2006-2011
 - Scoutmaster, 2002-2004
 - Troop Committee, 2002-2005
 - Assistant Scoutmaster, 2011-2013
- Girl Scouts of Frontier Council
 - Nominating Committee, 2002-2003

Admissions

- Nevada, 1994
- U.S. Court of Appeals, Ninth Circuit, 1995
- U.S. District Court, District of Nevada, 1994

Professional Achievements

- *The Best Lawyers in America*®, 2017-2021
 - Las Vegas, Arbitration, "Lawyer of the Year," 2021

- Mountain States *Super Lawyers*, 2014-2019
 - Business Litigation and ADR
 - Top 100 Mountain States *Super Lawyers*, 2015-2019
- *Nevada Business Magazine*, "Legal Elite," 2009; 2014-2015; 2017-2018
 - Top 4%, Professional Neutral (Arbitrator & Mediator) and Business Litigation, 2017
 - Top 1%, Professional Neutral (Arbitrator & Mediator) and Business Litigation, 2009; 2014-2015
- America's Most Honored Professionals
 - Top 1%, 2017
 - Top 10%, 2011; 2015-2016
- NAACP Image Award-winning album, Vocalist, "Where My Heart Belongs," 2015
- *Desert Companion Magazine*, "Top Lawyers," 2012-2014
- *My Vegas Magazine*, "Top 100 Lawyers," 2012-2013
- *Vegas, Inc.*, "Top Lawyers: The Best of the Best in Southern Nevada," 2013
- Clark County Pro Bono Project Award, 50 hours certificate, 2013
- 48th Annual GRAMMY® Award Winner, "Best Gospel Choir or Chorus Album," 2005
- Martindale-Hubbell® AV Preeminent® Peer Review Rating
 - Litigation, Commercial Law, and Business Law Sections
- Perfect 10.0 "Superb" Rating from Avvo®
 - Client Choice Award, 2015
 - Litigation; Arbitration; Business Law; Bankruptcy; and Real Estate
- National Institute for Trial Advocacy, "Master Advocate"
- *Doing Business in Nevada*, Co-Author, 2017.
- "Pre-Judgment Remedies." *Nevada Civil Practice Manual*, State Bar of Nevada (LexisNexis Matthew Bender), Co-author, Ch. 26, 5th Ed., 2005-2016.
- *Your Legal Guides*, "Federal Court Litigation Checklist," "A Litigator's Guide to Federal Evidentiary Objections," "A Litigator's Guide to the Federal Rules of Evidence," "The Self Help Federal Court Litigation Checklist," "The Self Help Guide to Federal Evidentiary Objections," and "The Self Help Guide to the Federal Rules of Evidence," 2016.
- *Your Legal Guides*, "Nevada State Court Litigation Checklist," "A Litigator's Guide to Nevada Evidentiary Objections," and "A Litigator's Guide to Nevada Rules of Evidence," 2nd Ed., 2016.