

# Snell & Wilmer

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## **Joseph G. Adams**

Partner | Phoenix

Tel. 602.382.6207

[jgadams@swlaw.com](mailto:jgadams@swlaw.com)

## **Main Bio**

Joe Adams represents clients in commercial litigation with a focus on shareholder disputes and intellectual property matters.

He has broad experience in securities and shareholder litigation, corporate governance matters, partnership and LLC disputes, employee benefits litigation, and class actions. His clients include public companies, start-ups and emerging companies, officers and directors, shareholders and owners of companies, and individuals. Joe serves as Chair of the firm's securities and shareholder litigation group.

He frequently represents clients before regulatory agencies such as the Securities and Exchange Commission (SEC), the Department of Labor (DOL), and state regulatory agencies. He also advises clients on compliance issues and oversees internal investigations regarding financial restatements, accounting issues, and instances of alleged wrongdoing raised by whistleblowers.

In the intellectual property area, Joe represents clients in cases involving trademark and copyright infringement, false advertising and unfair competition disputes, and the liability of web site operators. Earlier in his career, he practiced in the trademark and advertising practices group in a large Silicon Valley law firm.

## **Representative Experience**

### ***Securities and Shareholder Matters***

- Represented a public company in multiple shareholder derivative lawsuits in both state and federal court following an accounting restatement
- Represented a technology company and its senior executives following a failed merger with another company
- Represented a large financial institution in a six-day arbitration hearing regarding allegations of improper advice and unsuitable investments
- Represented a public company in connection with shareholder a suit to inspect books and records in the Delaware Court of Chancery
- Represented a public company in an SEC investigation relating to alleged material misstatements in connection with a transaction with a business partner
- Represented an individual in an SEC investigation focused on alleged insider trading

- Represented the board of directors of a public healthcare company in connection with an anonymous complaint that alleged wrongdoing by senior management
- Represented a public company in connection with retaliation claims brought by an alleged whistleblower under Sarbanes-Oxley

### ***Commercial Litigation and Partnership Disputes***

- Represented the seller of a closely-held business in litigation with former business partner regarding the distribution of proceeds from the sale
- Represented consumer products company in trade secret and breach of contract claim brought by a former business partner
- Represented a public company in negotiations to resolve a dispute with a software provider
- Represented a real estate investor in federal court litigation regarding a partnership dispute with an investor
- Represented an individual in a partnership dispute regarding his ownership interest in the company and attempts to separate from his partner

### ***ERISA and Employee Benefits Litigation***

- Represented a large healthcare institution and its health plan in a class action involving handling of preexisting conditions
- Represented a health trust in a class action alleging failure to make appropriate medical payments under the terms of the plan
- Represented a construction company in federal court litigation related to a claim that it owes additional contributions to its pension fund
- Represented a former CEO of large private company regarding deferred compensation owed to him and allegations of wrongdoing
- Represented a technology company in federal court litigation regarding calculation of pension benefits by a former employee
- Represented a manufacturing company in an arbitration proceeding against the former administrator of its pension plan
- Conducted an internal investigation for an insurance company regarding the handling of long-term disability claims and compliance with ERISA

### ***Intellectual Property Matters***

- Represented a consumer products company in federal court trial of claims of trademark and copyright infringement
- Represented a security company in a federal court preliminary injunction hearing regarding trademark infringement and unfair competition
- Represented a technology company to prosecute claims in federal court against a competitor who was making false claims of infringement
- Represented an airline company in a trademark proceeding before the Trademark Trial and Appeal Board
- Represented numerous companies in negotiating and resolving claims of copyright and trademark infringement

## **Education**

- Stanford Law School (J.D.)
  - Stanford Law Review
  - Stanford Journal of Law, Business & Finance
- University of Notre Dame (B.A.)

## Professional Memberships & Activities

- Arizona Foundation for Legal Services & Education
  - Secretary (2024-Present)
  - Board of Directors (2022-Present)
- Arizona Supreme Court's Committee on Character and Fitness
  - Appointed by Chief Justice Brutinel (2020-Present)
- Lawyer Representative to the Ninth Circuit Judicial Conference (2015-2018)
- Stanford Law School Board of Visitors (2012-2015)
- State Bar of Arizona
  - Civil Jury Instructions Committee (2011-2014)
- Stanford Law School Phoenix Regional Chapter
  - Chair
- American Bar Association
  - ABA Business Law Section
    - Business and Corporate Litigation Committee
    - ERISA and Pension Litigation Subcommittee
    - Vice Chair
- International Trademark Association
- Federal Bar Association

## Representative Presentations & Publications

- "[The Department of Justice Offers Individual Corporate Wrongdoers a "Get Out of Jail Free Card" in New Voluntary Self-Disclosure Program](#)," Co-Author, Snell & Wilmer Legal Alert (May 9, 2024)
- "[Department of Justice Announces Groundbreaking Whistleblower Program in its Ongoing Effort to Incentivize Voluntary Self Disclosures](#)," Co-Author, Snell & Wilmer Legal Alert (March 7, 2024)
- "[Tenth Circuit Allows ERISA Arbitration, So Long As There are No Limitations in Remedies](#)," Co-Author, Snell & Wilmer Benefits Blog (February 21, 2023)
- Faculty Member, AICPA's Expert Witness Skills Workshop (November 14-16, 2022)
- "[SDNY Mootness Fee Refusal May Shake Up A Common Tactic](#)," Author, Law360 (February 24, 2022)
- "[Federal Court Rejects Request for 'Mootness Fee' in Merger Litigation](#)," Author, Snell & Wilmer Legal Alert (February 22, 2022)
- "[Tell Me Everything: How Much Information Must a Shareholder Provide to a Corporation to Inspect Books and Records Under Section 220?](#)" Author, The Delaware Court of Chancery, Delaware Supreme Court, and Delaware Bankruptcy Blog (February 8, 2021)

- ["Delaware Court of Chancery Permits Caremark Claim Alleging Directors' Failure to Monitor Critical Company Business Operations,"](#) Co-Author, Snell & Wilmer Legal Alert (October 29, 2019)
- "Arizona Supreme Court addresses fiduciary duties owed to LLCs," Author, Record Reporter (September 23, 2019)
- "Working Effectively with Experts," Panelist, Snell & Wilmer Presentation with Alvarez & Marsal (May 15, 2019)
- "Crisis and Investigation Management in the Era of 24/7 News Cycles," Co-Presenter, Association of Corporate Counsel (April 16, 2019)
- ["U.S. Supreme Court Expands Scope of SEC's Anti-Fraud Rule in 'Copy-Paste' Case,"](#) Co-Author, Snell & Wilmer Legal Alert (April 2019)
- "Overview of Hot Topics in Director and Officer Liability," Co-presenter, Arizona Association of Defense Counsel (March 13, 2019)
- "Internal Investigations: Overview and Current Developments," Panelist, Snell & Wilmer Seminar (June 2016)
- "Internal Investigations and the Foreign Corrupt Practices Act: Understanding the New World Order," Panelist, Association of Corporate Counsel, Nevada (May 2016)
- ["The SEC's Annual Report on the Dodd-Frank Whistleblower Program Shows Increased Activity,"](#) Author, Snell & Wilmer Legal Alert (November 2016)

## Professional Recognition & Awards

- The Best Lawyers in America®, Commercial Litigation (2023-2024)
- ["Above and Beyond" Litigation Award, Volunteer Lawyers Program Pro Bono Awards](#) (2014)
- Top 50 Pro Bono Attorneys in Arizona, Arizona Foundation for Legal Services and Education (2009)

## Previous Professional Experience

- Wilson Sonsini Goodrich & Rosati, P.C., Palo Alto, California (2000-2003)
- United States District Court, District of Arizona, Law Clerk to Hon. Roslyn O. Silver (1997-1998)

## Bar Admissions

- Arizona
- California

## Court Admissions

- Supreme Court of Arizona
- Supreme Court of California
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Seventh Circuit
- United States District Court, Central District of California
- United States District Court, District of Arizona
- United States District Court, Northern District of California

## Client News

- Snell & Wilmer Represents Microbrewery Mission Brewery in Acquisition by California Investment Company