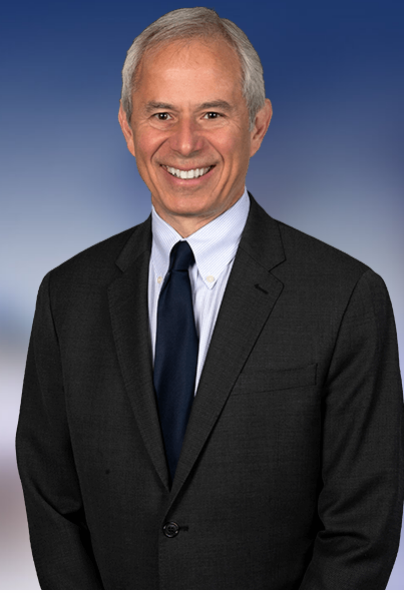


Mark Kowalsky

PARTNER



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Practice Areas

- Litigation & Dispute Resolution
- Securities Litigation & Enforcement Defense
- Franchising
- Data Privacy & Cybersecurity

Education

- University of Michigan Law School
J.D.
- University of Michigan
B.S. with high distinction and highest honors

Bar Admission

- Michigan

Court Admissions

- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Eastern District of Michigan
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Seventh Circuit

Overview

Mark Kowalsky leads our Litigation & Dispute Resolution practice group, working closely with our Data Privacy & Cybersecurity and Securities Litigation & Enforcement Defense practice groups. He is a business attorney who partners with his clients to understand their needs and execute a strategy leading to the right solution.

Mark's clients turn to him for sound counsel and assistance in a wide range of complex matters in highly-regulated areas, including:

- Business litigation involving contracts, non-competition agreements, trade secrets, unfair competition, employment and business and partnership disputes; and
- Securities Broker-Dealer and Investment Advisor issues, including disputes relating to securities investments, employment transition, non-competition agreements, enforcement and regulatory actions.

Mark is called upon to provide advice and representation to regional and national securities firms, public and privately-held corporations, and individuals. He has extensive experience in federal and state courts, arbitration, mediation, and in securities law regulatory matters that often involve requests for immediate injunctive relief and the use of Alternative Dispute Resolution (ADR), including arbitration and mediation.

Mark appreciates that the decision to litigate is a business decision and he takes proactive steps in an effort to achieve cost-effective solutions.

Significant Matters

Representing

- A national securities firm in obtaining a \$20 million arbitration award against a competitor for raiding the firm of its employees
- Numerous individuals and/or groups of individuals in successfully transitioning from their current employer to a new position while navigating their contractual and other obligations to their prior firm
- A private equity firm in resolving claims relating to the sale of collateralized loan obligations.
- An individual in obtaining a million-dollar settlement against his former firm involving claims of inaccurately reporting the circumstances of his departure
- Securities professionals resolving state and federal regulatory inquiries
- Members of a CPA firm to resolve a Securities and Exchange Commission action

Publications

- [“How to Sell Your Advising Practice in 2021,”](#) U.S. World and News Report, March 12, 2021
- [“Voices: How financial advisors can avoid legal trouble when switching firms,”](#) Financial Planning, February 21, 2021
- [Brokerage Firm Departures – Reasons to Expect 2016 to be a Record Year](#)
- “Preventing Security Breaches: Best Practices Under Michigan’s New Notification Law,” Michigan Computer Lawyer, Vol. 24, No. 2 (2007)
- “Preventing Security Breaches: Best Practices Under Michigan’s New Notification Law,” LACHES, a publication of the Oakland County Bar Association (2007)
- “The Need for Local Counsel in the Federal Court,” LACHES, a publication of the Oakland County Bar Association (2000)
- “Federal Courts on the Information Superhighway,” LACHES, a publication of the Oakland County Bar Association (1996)
- “Securities, Fraud and RICO Litigation Seminar, Federal or State Court v. Arbitration,” Detroit Bar Association

Speaking Engagements

- Invited Speaker 2009—2019 Midwest Securities Law Institute
- AMS Continuing Legal Education Advanced Litigation Skills for Paralegals

Affiliations

- State Bar of Michigan
- American Bar Association
- Oakland County Bar Association
- Oakland County Bar Association Chair of the Federal Courts Committee, Former Chair
- Oakland County Bar Association Business Court and Counsel Committee
- Oakland County Bar Association Circuit Court Committee, Vice-Chair
- Compliance and Legal Division of the Securities Industry and Financial Markets Association (SIFMA)
- Greater West Bloomfield Cable Communications Commission, Current Member and Former Chair
- Jewish Federation of Metropolitan Detroit, Board of Governors
- Jewish Home and Aging Services/Jewish Senior Life, Current Board Member and Past President
- The Jewish Fund, Board of Directors

Recognition

- Best Lawyers in America, 2018, 2020, 2021, 2022
- Best Lawyers in America “Lawyer of the Year” Securities Litigation—Detroit 2019, 2022
- Michigan Super Lawyer, 2020 Top 100
- Michigan Super Lawyer, 2006—2021
- Dbusiness Top Lawyer, 2012—2021
- Arbitrator for the Financial Industry Regulatory Authority (FINRA), American Arbitration Association (AAA)
- Martindale-Hubbell – AV rating