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## Related Services

Business and Commercial Litigation

Critical Motions / Appeals

Internal Investigations

Intellectual Property Litigation

## Education

University of Georgia, School of Law, J.D., *magna cum laude*, 1998

University of Georgia, A.B. Political Science, *cum laude*, 1995

## Judicial Clerkships

Judge R. Lanier Anderson, United States Court of Appeals for the Eleventh Circuit, 2002-2003

Judge Duross Fitzpatrick, United States District Court for the Middle District of Georgia, 1998-2000

## Court Admissions

Georgia Supreme Court

U.S. District Court for the Middle District of Georgia

U.S. District Court for the Northern District of Georgia

## Stephen K. Marsh *Of Counsel*

Stephen K. Marsh focuses his practice on complex commercial litigation and white collar investigations. He has represented clients in litigation, investigations, and administrative proceedings.

## Representative Matters

- Represented a professional sports league in connection with copyright audits of large cable systems and satellite carriers.
- Represented a professional sports league in copyright royalty litigation concerning the distribution of royalties by the Copyright Royalty Board ("CRB").
- Counseled professional sports league on a variety of topics relating to the league's copyrighted works and application of the rules of the Federal Communications Commission ("FCC") with respect to telecasts of those works; represented league in rulemaking proceedings before the Copyright Office and FCC.
- Counsel for defense contractor in investigation by Inspector General of a national security agency.
- Led internal investigation for a bank relating to amended securities filing resulting from undisclosed charge offs.
- Counsel for mortgage servicer in an internal investigation relating to notarization process for recording mortgages.
- Represented CEO of an enterprise software company in an investigation by the DOJ regarding potential criminal copyright violations involving the acquisition of competitor's software.
- Represented defense contractor in Georgia in a False Claims Act investigation by the DOJ relating to alleged substitution of inferior parts in servicing of an ongoing government contract.
- Represented mortgage servicer and affiliated federal savings bank in various litigation contexts, including multiple False Claim Act investigations by the Department of Justice ("DOJ"), state agencies, and federal regulatory authorities, including the Office of the Comptroller of the Currency.
- Represented international pharmaceutical company in negotiating resolution of consent provision in a patent licensing agreement.
- Represented large bank in defending against class action related to overdraft charges.
- Represented federal agency acting as conservator for government-sponsored enterprise in a suit against a municipality relating to an ordinance requiring payment of registration fees for vacant properties.
- Represented pharmaceutical manufacturer accused of attempted monopolization in violation of Sherman Antitrust Act in a multi-billion trial in Delaware.
- As a former federal prosecutor, was sole or lead counsel in several jury trials, all resulting in convictions.
- Several arguments before the U.S. Court of Appeals for the Eleventh Circuit, including defending the government's conviction of the former Georgia Senate Majority Leader on public corruption charges.
- Lead counsel in successful prosecution of defendant responsible for defrauding investors of several million dollars as part of a Ponzi scheme.
- Served as instructor at the Federal Law Enforcement Training Center on proper methods for obtaining digital evidence in state and federal investigations.

## Honors & Awards

Order of the Coif

Order of the Barristers (for excellence in oral advocacy)

Best Oralist, National Moot Court Competition (Regional Finals)

U.S. District Court for the  
Southern District of Georgia

U.S. District Court for the  
Eastern District of Virginia

District of Columbia State  
Courts

Georgia State Courts (Inactive)

Michigan State Courts

Virginia State Courts

## Stephen K. Marsh *Of Counsel (cont.)*

### Publications

- *Sixth Circuit Requires Warrants for Production of All Stored Electronic Communications*, Bloomberg's Privacy & Information Report (Feb. 2011)
- *Do Privacy Rights Extend to International Travelers? Warrantless Border Searches of Electronic Devices*, BNA, Inc. Privacy & Security Law Report, Vol. 07, No. 08 (Feb. 25, 2008)
- *Entrapment When the Spoken Word is the Crime*, 68 Fordham L. Rev. 1199 (2000)
- *Patents Are Forever: Construing the Federal Trademark Dilution Act to Apply to Product Configurations*, 4. J. Intell. Prop. L. 421, 424 (1997)

### Prior Experience

Prior to making the trek to Michigan and joining Bush Seyferth & Paige PLLC, Stephen founded his own firm, Marsh PLLC in Alexandria, Virginia. He also previously worked at Arnold & Porter LLP in Washington D.C. where his practice focused on IP litigation, complex commercial litigation, and white collar investigations.

Stephen previously served as an Assistant U.S. Attorney in the Southern District of Georgia. He also clerked for the Honorable R. Lanier Anderson, United States Court of Appeals for the Eleventh Circuit and for the Honorable Duross Fitzpatrick, United States District Court for the Middle District of Georgia.

Stephen received his J.D., *magna cum laude*, from the University of Georgia School of Law. He received his A.B., *cum laude*, in Political Science from the University of Georgia.