



## Bentley J. Tolk

Shareholder

Bentley J. Tolk is a member of the firm's Employment Law Group and Litigation Group, with an emphasis in the areas of ERISA litigation, employment counseling, employment litigation, intellectual property litigation, and general commercial litigation. Mr. Tolk provides counseling and litigation services for businesses and human resource professionals in the areas of discrimination, harassment, wrongful termination, wage and hour compliance, disability accommodation, family and parental leave, disciplinary action, downsizing, employment policies, compliance with federal and state statutes (including OSHA) and regulations, employee handbooks, investigations, and training. Mr. Tolk has represented employers, third-party administrators, and insurance companies in a wide variety of ERISA and employee benefits disputes. He has also represented national and local employers in numerous employment-related lawsuits and disputes. In addition, Mr. Tolk has represented both national and local companies in connection with disputes relating to trademarks, intellectual property, and/or patents. He has broad-ranging experience in other areas of litigation.

Mr. Tolk established and hosts the ERISA Litigation Podcast. He is or has been a presenter with such organizations as the Utah State Bar, ALI-ABA, the Salt Lake Society of Human Resource Managers, and The Employers Council.

Mr. Tolk has been awarded an AV rating – the highest awarded by Martindale-Hubbell. He has been continuously listed in *Utah Business* magazine as one of Utah's Legal Elite in labor and employment, and in 2014-2017 by *Mountain States Super Lawyers*. Mr. Tolk has been included in the 2012-2023 editions of *The Best Lawyers in America*® for Employee Benefits (ERISA) Law and ERISA Litigation, and was named Best Lawyers® 2022 Employee Benefits (ERISA) Law "Lawyer of the Year" in Utah.

### Publications and Speaking Engagements:

- 📅 New Rules Impacting Telephone Consumer Protection Act in Effect  
*October 2013*
- 📅 Seminar, Social Networking: Employers Beware!, The Employers Council  
*2009*

### CONTACT INFORMATION

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Connect

### LANGUAGE

- ▶ French

### PRACTICE AREAS

- ERISA Litigation
- Executive Benefits and Compensation
- Employment Law
- Commercial Litigation Services
- Administrative and Regulatory
- Appeals
- Arbitrations
- Utah Class Action Attorneys
- Contract Dispute Attorneys
- Employment Litigation

Federal and State Courts  
Insurance and Bad Faith  
Intellectual Property Litigation  
Internet Litigation  
Real Estate Litigation  
Securities Litigation  
Technology  
Intellectual Property and Technology  
Internet and E-commerce

## EDUCATION

- ▶ 1993, J.D., University of Chicago, University of Chicago Law Review
- ▶ 1990, A.B., magna cum laude, Harvard University

## BAR ADMISSIONS

- ▶ 1993, Utah

## PROFESSIONAL ACTIVITIES

- ▶ American Bar Association
- ▶ DRI, DRI Employment and Labor Law Committee, DRI Life, Health and Disability Committee
- ▶ Utah State Bar

- 📅 Seminar, How To Advance Your Career By Publishing A Book, Utah State Bar  
2007
- 📅 Book Review, "Overcoming The 6-Minute Life," Review of Legal Resources  
January 2007
- 📅 Seminar, The Secrets of Highly Successful Practice Development in Utah  
February 2007
- 📅 "Request to arbitrate dispute over Enron insurance proceeds denied," Society for Human Resource Management  
Dec 22, 2006
- 📅 Seminar, Benefits From Alternative Billing & Technology, Utah State Bar  
Sept 2006
- 📅 Co-author, "Tread cautiously when denying ERISA claims"  
June 1, 2006
- 📅 Book Author, Overcoming The 6-Minute Life: How And Why the Legal Profession Should Free Itself From Billable Hours, 2006

## Litigation Videos:

- ▶ [New ERISA Case Discussing Proper Defendants Under Section 502A1B](#)

