



## Peter R. Boutin

Peter Boutin, who was selected as one of Northern California's Top 100 Lawyers in 2018 and 2019 by Super Lawyers, has been a lawyer with Keesal, Young & Logan since 1975. Named "Lawyer of the Year" in the field of Securities/Capital Markets in 2020 by The Best Lawyers in America®, Peter's work on a major False Claims Act case was recently recognized by the Daily Journal as one of the "Top Verdicts" in the State of California in 2019. He focuses on securities litigation, employment litigation, commercial and professional malpractice litigation, regulatory, appellate, and mediation matters. During his 48 years of practice, he has tried and arbitrated approximately 200 matters, including jury and bench trials in state and federal courts and arbitrations in all major forums. Peter has tried and arbitrated cases throughout the country, including cases in California, New York, Oregon, Washington, Nevada, Arizona, Colorado, Pennsylvania, Illinois, Louisiana, New Mexico, Nebraska, Tennessee, and Washington, D.C.

### **Securities Litigation**

Peter has handled well in excess of 1,000 securities litigation matters involving claims for violation of federal and state securities laws, breach of fiduciary duty, fraud, unauthorized trading, unsuitability, elder abuse and related claims. Peter has served as a panelist and/or speaker on presentations on securities-related issues to the Securities Industry and Financial Markets Association ("SIFMA"), American Arbitration Association, New York Stock Exchange, National Association of Securities Dealers, accounting and securities trade groups, law schools, and other organizations. He has been a speaker on multiple occasions at the annual SIFMA Compliance & Legal Conference, the preeminent annual conference dealing with broker-dealer, investment management and regulatory issues. He is listed in The Best Lawyers in America® in the practice area of Securities/Capital Markets Law. He was recently named "Lawyer of the Year" by The Best Lawyers in America® for his work in Securities/Capital Markets Law in San Francisco.

### **Employment Litigation**

Peter has tried and arbitrated numerous employment cases involving a wide variety of issues, including age discrimination, disability discrimination, racial discrimination, discrimination based on sex, sexual harassment, discrimination based on AIDS, wrongful termination, defamation, retaliation, wage and hour, unpaid bonuses, privacy, whistleblower, and ERISA. In March 2018, the Daily Journal published his article entitled, "The Continuing Saga with PAGA." He is listed in The Best Lawyers in America® in the practice area of employment law. Peter was recently recognized by The Best Lawyers in America® as the 2022 "Lawyer of the Year" in the practice area of Litigation—Labor and Employment in San

Francisco.

### **Commercial and Professional Malpractice Litigation**

Peter has litigated hundreds of breach of contract, trade secret, unfair business practices, business tort, legal malpractice, trademark infringement, intellectual property, and malicious prosecution claims. He has also handled False Claims Act cases and, together with New York counsel, won the dismissal with prejudice of a False Claims Act case involving bonds with an aggregate par value of over \$171 billion. In April 2019, the Daily Journal published Peter's two-part article entitled, "Social media discovery: 20 commonly asked questions." In January 2022, the Daily Journal published Peter's two-part article entitled, "Nonparty Discovery: 20 Commonly Asked Questions." He is listed in The Best Lawyers in America® in the practice area of Commercial Litigation.

### **Securities Regulatory and Enforcement Matters**

Peter has handled numerous regulatory matters before the SEC, FINRA, the NYSE, and state securities regulators. He has represented advisors, executives, lawyers, and others in a wide variety of regulatory proceedings. He has obtained dismissals of disciplinary charges filed against executives (following hearings) on multiple occasions, including the recent dismissal of all charges against a Managing Director. Peter co-authored an article on the regulatory exposure of compliance officers entitled "Regulators Train Crosshairs on Compliance Professionals – Perception or Reality" published in February 2016 by the National Society of Compliance Professionals ("NSCP").? In September 2016, NSCP published Peter's article, "Ten Tips for Winning a FINRA Disciplinary Case Against Executives and Supervisors." In November 2016, the Daily Journal published his article entitled, "Case is rare example of sanctions against federal agency" which addressed a federal court's imposition of sanctions against the SEC under FRCP Rule 45.

### **Appellate Matters**

Peter has argued many cases before the United States Court of Appeals for the Ninth Circuit and the California Court of Appeal. Following his most recent argument before the Court of Appeal, the Court affirmed Summary Judgment in favor of KYL's client on a \$1.32 billion claim. He also authored the winning briefs in an important California Supreme Court case dealing with evidentiary issues.

### **Mediation and Alternative Dispute Resolution**

As a trained mediator, Peter has successfully resolved numerous securities, employment, business, intellectual property, professional malpractice, whistleblower, and ADA cases. He is a member of the U.S. District Court's Early Neutral Evaluation Panel (since 1993) and is a member of the U.S. District Court's Mediation Panel. He has also served as a member of the San Francisco Superior Court Settlement Panel for over 20 years, and is a member of FINRA's mediation panel. He served for many years as a FINRA (formerly NASD) arbitrator and as an arbitrator for the San Francisco Superior Court. Peter has been a panelist on alternative dispute resolution at, among other forums, the American Bar Association Annual Meeting.

A long-time member of the Board of Editors of the Securities Arbitration Commentator ("SAC"), Peter authored "Standards of Review Governing Arbitration Awards" which was published in SAC. He also co-authored American Arbitration Association training materials for securities arbitrators and co-authored "Arbitrator Awards are extended great deference . . . Usually" which was published in April 2016 in the Daily Journal.

Peter currently serves as a member of the Editorial Advisory Board of the Securities Arbitration Alert.

### **Professional and Community Involvement**

Peter is the former President of the Federal Bar Association's Northern District of California Chapter and is a Fellow of the Federal Bar Association.

In 2023, Peter served as a Co-Chair of the Roadways to the Bench Program sponsored by the U.S. Courts.

Peter is active in Stanford University alumni affairs, and in 2019 received the Governors' Award honoring "exemplary and long-standing volunteer service to the university." He served as Chair of the Board of Governors of the Stanford Associates, and he was on the Board of Directors of Stanford's Buck/Cardinal Club.

In 2011, he served on the committee overseeing the 100th anniversary of Santa Clara University Law School.

Pursuant to an appointment by the Board of Governors of the California State Bar, Peter served on the Board of Directors of the California Bar Foundation from 2008 through 2011.

### **Awards and Recognition**

Peter has been named a Northern California "Super Lawyer" every year from 2004 through 2023, is rated AV® Preeminent by Martindale-Hubbell, and is listed in The Best Lawyers in America® in the practice areas of Commercial Litigation, Employment Law and Securities/Capital Markets Law.

Peter is a Member of the Top 100 High Stakes Litigators in California. He was selected for the 2008 "BTI Client Service All-Star Team" for Law Firms, as determined by in-house counsel at Fortune 1000 firms. Peter was one of three lawyers in the United States selected by multiple Fortune 1000 companies for delivering superior client service. He was also selected for the 2009 "BTI Client Service All-Star Team." In 2010, he was one of five lawyers in the country selected for the third year in a row by BTI for client service excellence.

Peter is a published author. His book, *Grand Ascent*, was published in 2021.

### **Speaking Engagements**

- SIFMA Compliance and Legal Annual Conferences (multiple times)
- SIFMA San Francisco Regional Conference
- American Bar Association Annual Meeting
- National Society of Compliance Professionals

### **Community Engagement**

- Stanford University alumni affairs
- Board of Governors of the Stanford Associates, former Chair (recently concluded)
- Board of Directors of Stanford's Buck/Cardinal Club
- Committee member overseeing 100th Anniversary of Santa Clara Law School (2011)
- Board of Directors of the California Bar Foundation (2008–2011)

### **Recognitions**

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- The Best Lawyers in America® 2020 “Lawyer of the Year” (Securities/Capital Markets Law in San Francisco) (2020)
- Selected to Northern California Best Lawyers in America® List (Commercial Litigation, Employment Law, and Securities/Capital Markets Law) (2020)
- Top 100: Northern California Super Lawyers (2018–2019)
- Top 100 High Stakes Litigators in California (2018–2019)
- President: Federal Bar Association, Northern District of California Chapter (2017)
- Fellow of Federal Bar Association
- The Best Lawyers in America® (Commercial Litigation, Employment Law, and Securities/Capital Markets Law) (2012–2020)
- BTI Client Service All-Star Team (2008–2010)
- Selected to Northern California Super Lawyers List (Thomson Reuters) (2004–2020) (a designation limited to 5% of attorneys in a geographic region)
- AV® Preeminent™ peer review rating from Martindale-Hubbell
- Governors’ Award – Stanford University (2019)

## **Publications**

### Articles:

- “Nonparty Discovery: 20 Commonly Asked Questions” (Daily Journal, January, 2022)
- “Social media discovery: 20 Commonly Asked Questions” (linked here) (Daily Journal, April 2019)
- “The Continuing Saga with PAGA” (linked here) (Daily Journal, March 2018)
- “Case is Rare Example of Sanctions Against Federal Agency” (linked here) (Daily Journal, November 2016)
- “Ten Tips for Winning a FINRA Disciplinary Case Against Executives and Supervisors” (linked here) (September 2016)
- “Arbitration Awards are extended great deference . . . Usually” (Daily Journal, April 2016)
- “Regulators Train Crosshairs on Compliance Professionals—Perception or Reality” (linked here) (February 2016)
- “Standards of Review Governing Arbitration Awards” (Securities Arbitration Commentator, March 2003)

### Books:

- Grand Ascent

## **Admissions**

- California (1975)
- All United States District Courts in California
- United States Court of Appeals for the Ninth Circuit
- Supreme Court of the United States (1982)

## **Education**

- J.D. (magna cum laude), Santa Clara University Law School (1975). While in law school, Peter served as an Editor of the Law Review.
- B.A. (political science), Stanford University (1972).

## **Practice Areas**

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- [Business Litigation](#)
- [Employment Litigation & Advisory](#)
- [Professional Liability](#)
- [Securities](#)
- [Unfair Business Practices](#)

**Phone**

[\(415\) 398-6000](tel:(415)398-6000)

**Email**

[peter.boutin@kyl.com](mailto:peter.boutin@kyl.com)

**Office Location**

San Francisco

**Position**

Shareholder and Executive Committee Member