

John M. Pesek

EXPERIENCE

City of Rogers, Arkansas

February 2019-Present

Senior Staff Attorney

- Director/Department Head - Legal Department
- Provide counsel to all City Department Heads, Mayor, and City Council
- Provide legal counsel to all the City's boards and commissions
- Draft all Resolutions, Ordinances, and Agendas for the City Council
- Defend the City in any lawsuits in State and Federal Court or administrative actions filed against it and bring lawsuits on behalf of the City
- Provide counsel on all Human Resources/Employment related issues
- Co-administrator of the City's self-funded health plan
- City Prosecutor for Rogers District Court
- Provided training to Rogers police officers and firefighters on a variety of state and federal laws

University of Arkansas School of Law

August 2023-Present

Adjunct Professor

- Teach State and Local Government Law to 2L and 3L students

Lindsey Management Co., Inc.

February 2017-February 2019

Corporate Counsel (Fayetteville, AR)

- Manage outside counsel in litigation.
- Work on compliance and administrative actions involving the United States Department of Housing and Urban Development, United States Department of Labor, State Attorney Generals, and local affiliates of the Department of Housing and Urban Development.
- Work with outside vendors on contracts regarding approximately 165 multi-family apartments and single-family residences in five states.
- Advise real estate, telecommunications, and construction companies on outstanding legal issues.
- Manage Lindsey Management's intellectual property portfolio by filing new trademark applications or renewals. Send cease and desist letters to companies violating Lindsey's intellectual property rights and handle all matters before the United States Patent & Trademark Office and Trademark Trial and Appeal Board.

Henry Law Firm

May 2016-February 2017

Attorney (Fayetteville, AR)

- Complex civil litigation specializing in intellectual property and business litigation.

Watts, Donovan & Tilley, P.A.

August 2013-December 2015

Associate Attorney (Little Rock, AR)

- Insurance Defense Litigation: Specializing in ERISA, product liability, personal injury, fire investigations, construction law, and insurance coverage.
- Health Law: Specializing in Medicare overpayment disputes, peer review, departmental disputes/settlements before litigation, regulatory compliance with STARK, Anti-Kickback statute, and False Claims Act.
- Business and Employment law litigation.

Little Rock City Attorney's Office

January 2011-August 2013

Assistant City Attorney (Little Rock, AR)

- Represented the City and City departments in civil cases, including negligence actions, land use matters, civil rights defense, condemnation, administrative appeals, lien foreclosures, quiet title actions, and injunctions.
- Special Deputy Prosecuting Attorney, Little Rock District Court, Second & Third Divisions.
- Conducted legal research and prepared memorandum for the City Attorney and City departments on various legal matters, including but not limited to search and seizure issues for the Little Rock Police Department.

United States District Court for the Western District of Arkansas

October 2009-April 2010

Law Clerk to Senior District Judge Harry F. Barnes (El Dorado, AR)

- Researched and prepared memorandum opinions for Senior District Judge.
- Assisted Senior District Judge in trials and hearings.

EDUCATION

University of Arkansas School of Law (Fayetteville, Arkansas)

Juris Doctor (2009)

- Dean's List, 2007-09
- Note & Comment Editor, Journal of Food Law and Policy, 2008-09; Candidate, 2007-08
- Vice-President, International Law Society, 2008-09; President, 2007-08
- Quarterfinalist, Benjamin J. Altheimer Moot Court Competition, 2008
- Recipient, Pro Bono Community Service Award, 2008-09
- Student Coordinator, Law School Legal Clinic Transactional Department, 2009

University of Central Arkansas (Conway, Arkansas)

Bachelor of Science in History, Minor in Political Science (2006)

- Phi Alpha Theta (Historical Honor Society)
- National Honor Society of Collegiate Scholars
- Dean's List

BAR ADMISSIONS

- Arkansas
- Eastern and Western Districts of Arkansas
- Eighth Circuit Court of Appeals

PUBLICATIONS & PRESENTATIONS

- Presenter: E-Discovery: How Updates to Rule 37 Altered Discovery and Preservation of Electronically Stored Information. Pulaski County Last Chance CLE, June 22, 2017, Fayetteville, Arkansas.
- Equalizing the Playing Field: The Time has come for Secondary Meaning in the Making in Small Restaurant Trade Dress Infringement Cases. 5 J. Food L. & Pol'y 89 (2009).
- Co-author and co-presenter with Janet Pulliam: Sterling Education Services Seminar entitled: Employment Law: Beyond the Basics, PPACA/Obamacare: What Employers Need to Know, Little Rock, Arkansas, April 4, 2014.
- Presenter, Business and Practical tips for lawyers. Topic: Introduction to Trade Secret Law, presented on June 13, 2016 at the University of Arkansas School of Law
- Will the United States Supreme Court follow *Sereboff* or will its forthcoming opinion allow subrogation against plan beneficiaries in ERISA litigation? Arkansas Association of Defense Counsel weekly publication (Sept. 7, 2015).
- Presented "Daily Life of a City Attorney" to the Benton County Bar Association, Summer 2024
- Presented "Citizenship - Federal, State, and Local" on behalf of the Mayor of Rogers to the Founders Classical Academy, Fall 2024
- Presented "Constitutional Day" on behalf of the Mayor of Rogers to Founders Classical Academy, Spring 2023

ASSOCIATIONS

Member - Arkansas City Attorney's Association

Member - International Municipal Lawyer's Association

Member - Benton County Bar Association

Arkansas Bar Association

- Former Elected Delegate for District A02 - House of Delegates
- Former Elected Delegate for District B – House of Delegates

Subscript Law

- Contributor for a non-profit website, which designs informational graphics to teach the public about current United States Supreme Court cases.
- Wrote an article on Apple, Inc. v. Pepper, et al. for the publication Subscript Law. See <https://www.subscriptlaw.com/blog/apple-v-pepper>.

ACTIVITIES

Former Commissioner - Fayetteville Civil Rights Commission (Appointed & Served Jan. 2018 - 2020)

Former Commissioner - Little Rock Civil Service Commission (Appointed & Served 2015-2016)

Member - Board of Directors - Down Syndrome Connection of Northwest Arkansas

AWARDS

Arkansas Money & Politics Legal Elite, 2024

Arkansas Money & Politics Achiever in their Forties, 2024