

Jose A. Abarca

SHAREHOLDER

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Jose Abarca represents businesses and executives in complex commercial litigation, with a focus on high-stakes disputes that carry operational, financial and reputational risk. Clients rely on Jose for practical, industry-specific strategies designed to protect enterprise value and drive efficient resolutions.

Jose regularly handles matters ranging from ownership and governance disputes to bet-the-company litigation in state and federal courts and before government agencies. His experience spans a wide range of industries, with particular depth in renewable energy, technology and critical infrastructure. He frequently defends clients facing multimillion-dollar claims involving breach of contract, fiduciary duty, fraud, trade secret misappropriation and securities-related allegations.

In addition to traditional business disputes, Jose advises clients on cybersecurity incidents and related litigation. He works closely with technical consultants to investigate incidents, assess legal exposure and guide clients through response obligations involving consumers, employees and regulators. He also assists companies in developing and implementing cybersecurity and data privacy programs aligned with industry standards and business objectives.

Clients value Jose's disciplined approach to litigation, which emphasizes early case assessment, targeted discovery and strategic motion practice. Whether seeking early dismissal, negotiating a favorable settlement or preparing a case for trial, Jose focuses on helping clients manage risk, control costs and achieve outcomes aligned with their broader business goals.

Education

- The University of Iowa College of Law (J.D., *with distinction*, 2011)
- University of Utah (M.S.W., 2008)
- Brigham Young University (B.S., 2006)
 - Psychology

Bar Admissions

Capabilities

- Commercial Litigation
- Real Estate Litigation
- Restrictive Covenants & Trade Secrets Litigation
- Litigation

- Utah

Court Admissions

- U.S. District Court, District of Utah

Memberships

- Utah State Bar
 - Litigation Section
- Salt Lake County Bar Association
- Utah Minority Bar Association
- Central Utah Bar Association

Recognition

- Recognized as a Stellar Performance Lawyer by Thomson Reuters, 2026
- Selected for inclusion in *Best Lawyers in America*® for Litigation - Real Estate, 2025-2026
- Named one of *Best Lawyers: Ones to Watch*® in America in Commercial Litigation, 2021-2024
- Andrew Guy Pro Bono Award, 2020
- Mentor of the Year Award, 2016

Matters

- Handled Dispute Relating to Mobile LIDAR Mapping for Major Telecom Project
- Counseled Solar Company in Breach of Contract, Trade Secret Misappropriation Litigation
- Highly Favorable Settlement in Breach of Contract and Related Claims Case Stemming from Power Supply Agreement
- Defense of Global Oil and Gas Company Facing Employment Discrimination Claims
- Data Theft and Fraud Advisor for Real Estate Transaction Companies
- Federal Lawsuit Involving Computer Fraud and Abuse Act
- Incident Response Counsel for Transportation Company Following Ransomware Attack
- Incident Response Counsel for Financial Software Company Following Data Breach
- Counsel to U.K.-based Social Media Company in Claims Against Data Security Provider
- Defended Cryptocurrency and Digital Assets Company in \$12 Million SEC fraud case
- Defense Counsel in \$7 Million Product Liability Wrongful Death Action
- Defense Counsel in Multimillion-Dollar Federal Suit Against Chair Manufacturer
- Counsel to Software and Services Company in Trade Secret, Copyright and Contract Litigation Case
- Bet-the-Company Litigation for Tech Startup in Trade Secret, Breach of Contract Case
- \$1.2 Million Judgment in Real Estate Investment Fraud Case
- Representation of Global Consumer Products Company Seeking \$1 Billion in Damages

News

February 3, 2026

28 Polsinelli Attorneys Recognized as Thomson Reuters Stand-out Lawyers

Publications

December 2, 2022

National Security Focus on Cybersecurity for Critical Infrastructure Sharpens

Events

2025

2025 Business Law Institute