

**Miami, FL Office**

305-379-1601

mpinkert@holtzmanvogel.com

**Related Practice Areas**

- Antisemitism and Anti-Terrorism
- Appellate
- Commercial Litigation
- Constitutional Law
- Election Law
- Government, Congressional and Corporate Investigations
- Political Law
- State Attorneys General

**Mark I. Pinkert****Partner**

Mark Pinkert is a litigation and appellate partner with Holtzman Vogel. He represents clients at every stage of litigation, in state and federal courts around the country. He has extensive experience in constitutional law, administrative law, political law, antitrust, white collar defense, and complex commercial disputes. Additionally, Mark maintains an active practice focused on religious freedom, First Amendment rights, and combatting antisemitism, especially on college campuses.

Mark is a formidable writer and advocate. He has drafted letters, white papers to government agencies, legal memoranda, regulatory comments, complaints, dispositive motions, motions in limine, appellate briefs, and several briefs in the U.S. Supreme Court. His incisive and persuasive writing style has helped him earn key victories for his clients. Mark has argued a *Daubert* motion in a multi-billion-dollar environmental dispute and was recently appointed lead counsel by the Eleventh Circuit Court of Appeals to represent an indigent petitioner in a habeas corpus appeal. Mark's legal commentary has been published in *The Wall Street Journal*, *National Review*, *Times of Israel*, *Daily Business Review*, *University of Miami Law Review*, and many others.

Mark is also an adept legal strategist, advising some of the largest companies in the world on their most pressing issues. Rather than merely react to problems, he provides holistic thinking and anticipates issues before they arise. He helps clients develop proactive plans of action that mitigate risks, avoid conflict, and reduce costs.

Before joining Holtzman Vogel, Mark worked at a global law firm and clerked for the Honorable Adalberto Jordan (11th Cir.) and the Honorable Roy K. Altman (S.D. Fla.). Clerking at both the trial and appellate levels has given him rare insight into the federal court system and has sharpened his advocacy.

At Yale Law School, Mark was an Articles Editor for the Yale Law Journal and an editor for the Yale Journal of Law & Humanities. He was also a research assistant and taught constitutional law to high school students in New Haven.

**Education**

- Yale Law School, J.D.
  - Yale Law Journal, Articles Editor
  - Yale Journal of Law & Humanities, Editor
  - Professor James Whitman, Research Assistant
  - Constitutional Literacy Project, Teacher
- Emory University, B.A., magna cum laude, English Literature with minor in History

**Bar & Court Admissions**

- The Florida Bar
- United States District Court for the Southern District of Florida
- United States Court of Appeal for the Eleventh Circuit

- United States Court of Appeal for Second Circuit
- United States Court of Appeal for the Federal Circuit
- Supreme Court of the United States

### **Clerkship/Government Experience**

- Law Clerk to the Honorable Roy K. Altman, United States District Court, Southern District of Florida
- Law Clerk to the Honorable Adalberto Jordan, United States Court of Appeals, Eleventh Circuit

### **Representative Matters**

- Representing a non-profit organization and Jewish students in a Title VI lawsuit for antisemitic discrimination and harassment taking place at their university.
- Successfully represented a global energy company in a multi-billion-dollar environmental dispute and argued a pre-trial *Daubert* motion, setting the client up for a favorable settlement.
- Successfully defended a major social media company in a Federal Trade Commission enforcement action.
- Successfully represented a real estate investment company in multiple appeals in New York state and federal courts related to various construction projects.
- Successfully represented an Orthodox Jewish Synagogue in a RLUIPA lawsuit related to its zoning application for a house of worship.
- Represented a multinational corporation in a pre-indictment presentation to federal prosecutors.
- Represented a large investment firm in a pre-enforcement white paper to the SEC.
- Represented a major corporation in a pre-bankruptcy internal investigation.
- Represented a major technology company in a high-profile, ongoing antitrust lawsuit in the Ninth Circuit.
- Represented a major fashion company in a Second Circuit appeal that addressed novel antitrust and statute of limitation issues.
- Represented a group of Minor League Baseball teams in a high-profile lawsuit against Major League Baseball challenging the longstanding baseball “exemption” to the U.S. antitrust laws.
- Represented the U.S. Chamber of Commerce as amicus curiae in the recent Supreme Court case, *Corner Post, Inc. v. Board of Governors of the Federal Reserve System*, addressing the statute of limitations for APA lawsuits.
- Represented the American Petroleum Institute and other industry groups as amici curiae in two Supreme Court briefs related to ongoing climate change litigation.
- Represented the New England Legal Foundation as amicus curiae in *Consumer Financial Protection Bureau v. Community Financial Services Association of America*, the recent Supreme Court case addressing the constitutionality of the CFPB’s funding mechanism.
- Represented law professors Michael McConnell and Douglas Laycock as amici curiae in the New Jersey Supreme Court, in a case involving the First Amendment “ministerial” exception.
- Represented a major bond insurer in connection with Puerto Rico’s bankruptcy proceedings, particularly that of the Commonwealth’s public

utility company, PREPA.

*(\*includes matters before joining Holtzman Vogel)*

## **News & Insights**

- Jury Finds Live Nation and Ticketmaster Liable of Monopolizing the Ticketing Market — What Companies Need to Know
- Holtzman Vogel Wins Dismissal in Georgetown Antisemitism Case
- How South Florida Lawyers Can Support Cuba's Transition
- Maine lobsterman asks Supreme Court to hear legal challenge to 24/7 GPS tracking
- What Kalshi Cases Reveal About State Authority, Regulation
- Fla. Legal Industry Eyes AI Use, Mid-Law Firm Growth In 2026
- Justice Canady, 'Voice of the Conservative Wing,' to Step Down from Florida Supreme Court
- 11th Circuit Strikes Down Challenge to Florida Law Blocking Foreign Real Estate Purchases
- Sullivan's Reckoning: Why It's Time to Overturn America's Defamation Shield
- Legal Accountability Post 10/7: Fighting Antisemitism in the Courts and the Court of Public Opinion
- Holtzman Vogel Files Federal Lawsuit Against Palestinian Authority and Palestine Liberation Organization Over 'Pay for Slay' Terror Funding Program
- State AGs and the Supreme Court 2025 Term
- The Harvard 'Die-in' That Set Off a Debate Over Protest and Punishment
- Holtzman Vogel Files Supreme Court Amicus Brief on Behalf of Fourteen Constitutional Law Scholars Supporting Religious Freedom
- Holtzman Vogel Files Amicus Brief on Behalf of 23 State Attorneys General Supporting President Trump in DC Crime Lawsuit
- The Judicial Insubordination Crisis
- In-Compliance: Holtzman Vogel's August 2025 Political Law Round-Up
- Universities Face Stricter Data Reporting Requirements Under New Trump Policy
- Trump Shines a Light on Discrimination in College Admissions
- In Solidly Red Florida, these Republican-Leaning Firms Are Having a Moment
- In-Compliance - Holtzman Vogel's July 2025 Political Law Update
- *Fuld v PLO* - A Landmark Victory for Victims of Terror
- What *Mahmoud v. Taylor* Means for Anti-Zionism in Public Education
- The Fusion of Anti-Zionism and Social Justice
- Mark Pinkert Speaks at Fed Soc Florida Young Lawyers Summit
- A Victory for American Victims of Terror
- Supreme Court rules unanimously to allow terror victims to sue Palestinian Authority, PLO
- Supreme Court Interprets the Clean Air Act's Venue Provision in Companion Cases
- Litigation Update: President Trump's Anti-DEI Executive Orders and the Lawsuits Challenging Them

- Supreme Court Rejects Heightened Burden for “Reverse Discrimination” Plaintiffs in *Ames v. Ohio Department of Youth Services*
- Holtzman Vogel Launches State Attorneys General Practice Group, Tapping Deep Bench of Veterans as Go-To Firm for High-Stakes Matters
- Mark Pinkert and Mo Jazil Speak on FedSoc Courthouse Steps Oral Argument Webinar
- IHC Update: Protecting Your Company from the Inside – Analyzing New Administration Policies, Opposing State AG Policies, and Internal Pressures
- Mark Pinkert Speaks at Florida Law Con on Anti-Terrorism
- In-Compliance: Holtzman Vogel's March 2025 Round-Up
- Holtzman Vogel Files Amici Brief on Behalf of Senators in Effort to Protect Religious Liberty
- The Many Challenges of DEI Law and Policy for Corporate Counsel
- Supreme Court to hear case on Palestinian Authority's ‘martyr’ payments
- Holtzman Vogel Files SCOTUS Amicus Brief on Behalf of 17 Organizations Supporting American Victims of Palestinian Terrorism
- Shifting Battlegrounds in Administrative Law, from Biden to Trump
- How the Trump II Administration Can Combat Antisemitism
- Holtzman Vogel Expands Florida Team with Litigation and Appellate Attorney Mark Pinkert
- Holtzman Vogel Taps Weil Gotshal Attorney to Lead Miami Expansion
- Holtzman Vogel Expands to South Florida with Weil Atty

### **Community Involvement**

- Southern District of Florida Magistrate Judge Merit Selection Panel (2024—present)
- Southern District of Florida Bench & Bar Committee (2023, 2025)
- American Enterprise Institute, Enterprise Club Member
- Federalist Society, Panelist, Speaker, Member
- Miami-Dade Beacon Council, Member
- Cardozo Jewish Legal Society Mentorship Program, Mentor

### **Awards and Honors**

- Listed in 2025 *Lawdragon's X* - The Next Generation
- Winner, 2026 *Daily Business Review's* "On the Rise" award

### **Publications**

- Jury Finds Live Nation and Ticketmaster Liable of Monopolizing the Ticketing Market — What Companies Need to Know
- How South Florida Lawyers Can Support Cuba’s Transition
- What *Kalshi* Cases Reveal About State Authority, Regulation
- Sullivan's Reckoning: Why It's Time to Overturn America's Defamation Shield
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- Shifting Battlegrounds in Administrative Law, from Biden to Trump
- How the Trump II Administration Can Combat Antisemitism
- "How the Trump II Administration Can Combat Antisemitism," *Daily Business Review* (December 6, 2024) (co-author)
- "Gatekeeping & Class Certification: The Eleventh Circuit's Stringent Approach to Admitting Expert Evidence in Support of Class Certification," *78 University of Miami Law Review* 1062 (2024) (co-author)
- "Administrative & Public Law," *Lexology* (Jan. 25, 2024) (co-author)
- "Three Strategies for Combatting Parallel Litigation", *National Law Journal* (Sept. 21, 2022) (co-author)

### **Speaking Engagements**

- Legal Accountability Post 10/7: Fighting Antisemitism in the Courts and the Court of Public Opinion
- State AGs and the Supreme Court 2025 Term
- *Fuld v PLO* - A Landmark Victory for Victims of Terror
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