

Snell & Wilmer



Byeongsook Seo

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Main Bio

Byeongsook Seo is a member of the firm's commercial litigation practice. He took an interesting path to becoming an attorney. Before attending law school, Byeongsook served as an Officer in the United States Air Force after earning an engineering degree from the United States Air Force Academy. This unique experience has served Byeongsook well in addressing an ever changing array of subjects.

Byeongsook has applied his experiences to a broad range of subjects which include the representation of individual clients as well as Fortune 500 companies in complex intellectual property and commercial matters. He has represented high-tech clients in disputes that ranged from patent and trade secret enforcement actions to disputes over the sale of high-tech products. Byeongsook's clients have sought his guidance in disputes related to failed business ventures and disputes among business partners, shareholders and directors. He has defended many officers and directors from lawsuits arising out of their business dealings.

Byeongsook has represented clients in real estate litigation that involved construction defects, architectural issues, commercial landlord/tenant disputes and disputes regarding real estate development projects. He has represented commercial landlords and tenants in litigation over possession of property and damages.

Byeongsook represents investors in disputes arising out of their private investments. Many of his cases have involved hearings regarding extraordinary remedies such as injunctions and receiverships. Byeongsook is experienced in all aspects of litigation, including trials and appeals, injunction hearings, receivership hearings and arbitrations.

Representative Experience

- Represented the managing member of a real estate development company in a two-week jury trial in an action initiated by a minority member of the company. The dispute involved claims, counterclaims and third-party claims of breach of contract, breach of fiduciary duty, self-dealing, fraudulent nondisclosure, conversion, civil theft, unjust enrichment and allegations of sham contracts.
- Represented a company in pursuing claims of fraud, misappropriation of trade secrets and interference against a shareholder and former officer and director arising out of client's acquisition of company.
- Represented a client in contempt hearings in a divorce matter initiated by her ex-husband. The client and ex-husband were directors, officers and shareholders of an information technology company. The hearings involved issues arising out of the failed conversion of the company from a corporation to a

limited liability company and accusations related to the loss of majority ownership of the converted company. There were claims for fraud, breach of contract, breach of fiduciary duty, conversion and civil theft and requests for injunctive relief and dissolution of the company.

- Represented members of a startup oil and gas company in a case initiated by an expelled member of the startup. Plaintiff asserted claims for civil conspiracy, fraud, breach of fiduciary duty, unjust enrichment, promissory estoppel, breach of contract and interference with business relations.
- Represented a medical product manufacturer, related principals and related companies, in an action where the manufacturer's former distributor sought to pierce its corporate veil and impose liabilities on all clients for product liability cases initiated by product plaintiffs throughout the U.S. Plaintiff alleged fraudulent transfer, breach of fiduciary duty, violation of LLC distribution laws, and tortious interference.
- Represented a national engineering firm in a trespass action where plaintiff alleged that the client negligently supervised the construction of overpass.
- Represented minority member in a limited liability company asserting individual and derivative claims in an action against other members of the company and related affiliates for breach of contract, unjust enrichment, breach of fiduciary duty, civil conspiracy and dissolution of the company.
- Represented engineering firm, who had purchased another engineering firm, in an arbitration where the selling firm alleged the client breached its purchase agreement earn-out representations and obligations and sought millions in damages. Client countersued for millions based on the seller's breach of purchase agreement representation and warranties.
- Represented the estate of a deceased cattle investor along with the widow and a cousin of another deceased cattle investor against a cattle rancher for failing to provide the promised return on the clients' investment.
- Represented international manufacturer of complex imaging and measuring systems, including aerial LiDAR systems designed to be used on airplanes and helicopters, in an action against a national surveying company who countersued for millions in damages based on alleged breach of warranty and negligent misrepresentation.
- Represented nine clients, including a commercial real estate company, a brokerage firm, an architectural design committee, a custom build homeowners' association, an architect, a home designer and landscape architects, in an action where the plaintiff alleged breach of contract, civil conspiracy, interference, breach of fiduciary duty and deceptive trade practices and sought an injunction against the clients' contract right to seize real property.
- Represented an engineering firm in an action where plaintiff alleged breach of contract, negligence and negligent misrepresentation based on the allegedly deficient design of a waste water treatment system.
- Represented holding company, two related companies and its principal members, who were involved in the acquisition of business and intellectual property assets, in an action where the sellers alleged breach of contract, negligent misrepresentation, fraud, fraudulent inducement, fraudulent non-disclosure, civil theft and intentional interference.
- Represented former officers of an acquired connect play company in a dispute with the robotic, digital technology and immersive entertainment company that acquired it to address allegations of pre-purchase misrepresentations. The dispute dealt of the acquiring company framing pre-purchase disclosures as misrepresentations.
- Represented a co-owner of a 20-year old business to obtain his buyout from the company that

suffered a deadlock in management and lacked essential buyout remedies within its corporate governance documents.. There were allegations of outrageous conduct, breach of fiduciary duty, theft and conversion.

Education

- University of Denver, Sturm College of Law (J.D., 1999)
- United States Air Force Academy (B.S., Engineering Mechanics, 1992)

Professional Memberships & Activities

- American Bar Association
- Colorado Bar Association
- Denver Bar Association
- Asian Pacific American Bar Association of Colorado
- Collaborative Bar Leadership Academy (2019)

Representative Presentations & Publications

- "[Preparing for More Waves of Remote Trials](#)," Author, Law Week Colorado (July 16, 2020)
- "Business Divorce," Editor, Chapter in *Recent Developments in Business and Corporate Litigation*, ABA Publishing (2020)
- "Candor Toward the Tribunal and Fellow Members of the Bar (What Crosses the Line When Negotiating With the Court and Opposing Counsel?)," Panelist, Colorado Litigator's Summit (September 27, 2019)
- "Resolving Difficult & Distressed Corporate Divorce & Complex Ownership Disputes through Mediation – A Case Study/Mock Dispute Resolution," Co-Presenter, ABA Business Law Section Annual Meeting, Washington, DC (September 14, 2019)
- "[Why Proper Document Redaction May Be An Ethical Duty](#)," Author, Law360 (February 6, 2019)
- "['Prenups' Are Not Just for Individuals: Protecting Your Client in a Business Divorce](#)," Co-Author, Corporate Counsel Magazine (April 2018)
- "Topics in Business Divorce Litigation," Co-Author, ABA 2018 Edition: Recent Developments in Business & Corporate Litigation (April 2018)

Professional Recognition & Awards

- The Best Lawyers in America®, Commercial Litigation (2017-2021)
- Colorado Super Lawyers®, Business Litigation (2010-2020)
- APABA Colorado's Minoru Yasui Award (2014)
- Top Rated Lawyer-AV® Preeminent™, Martindale-Hubbell

Community Involvement

- Downtown Denver Partnership, Mobility Committee Member (present)
- 2nd Judicial District Judicial Nominating Commission (present)
- APABA Foundation, President and Board Member (2005-2006, 2009-present)
- Colorado Bar Foundation, Fellow (2015-present)

- Colorado Lawyers Committee (2005-2015)
- Colorado Dragon Boat Festival, Board Member (2013-2015)
- Theatre Esprit Asia, Board Member (2012-2015)
- Asian Pacific Development Center, Board Member (2010-2013)
- Community Resource Center, Board Member (2007-2010)

Other Professional Experience

- Gordon Rees Scully Mansuhkani, LLP, Partner (2011-2017)
- Isaacson Rosenbaum, P.C., Shareholder (2005-2011), Litigation Department Chair (2008-2011)
- Gorsuch Kirgis, LLP, Attorney (1999-2004)

Military Service

- United States Air Force, Captain (1992-1998)

Bar Admissions

- Colorado

Court Admissions

- Supreme Court of Colorado
- United States District Court, District of Colorado
- United States Court of Appeals, Tenth Circuit