

# Snell & Wilmer

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## Marshall J. Hogan

Counsel | Orange County | Los Angeles | San Diego

Tel. 714.427.7432

[mhogan@swlaw.com](mailto:mhogan@swlaw.com)

### Main Bio

Marshall Hogan is a commercial litigation and business bankruptcy attorney who assists clients with a wide variety of business disputes and bankruptcy matters. He has represented clients in state and federal courts in matters involving contract claims, business tort claims, trade secret and intellectual property claims. In his insolvency practice, Marshall represents a broad array of clients, including financial institutions, debtors, bankruptcy trustees, buyers, landlords, and secured and unsecured creditors in bankruptcy cases, receiverships, and adversary proceedings. Marshall also focuses on creditors' rights and remedies, foreclosure of both real and personal property, and workout law.

### Representative Experience

- Represents financial institutions, banks, asset-based lenders, investment firms and private lenders in various actions for breach of note, breach of guaranty, and appointment of receiver over collateral
- Represented numerous lenders in stay relief and plan confirmation litigation
- Represented Canadian investment fund in enforcing rights to California collateral, involving UCC foreclosure on equipment, membership interests, and other assets, and in deficiency judgment litigation
- Represented health technology company as reorganization counsel in confirmation of a chapter 11 plan involving an eight-figure capital infusion
- Represented alternative fuel tank manufacturer as debtor's counsel in chapter 11 bankruptcy case and an eight-figure 363 sale of substantially all of the assets of the debtor
- Represented international medical device manufacturer in defending against nine-figure breach of contract claims
- Represented major national healthcare insurance company against alleged violations of Texas "prompt payment" laws in a series of arbitration proceedings
- Represented British supplier of radio-controlled car models in purchase of assets from insolvent affiliate of company in bankruptcy proceedings in the United Kingdom
- Represented trustee appointed in involuntary bankruptcy case of Medicare supplier involving substantive consolidation of the supplier and its dozens of non-debtor affiliates and a 363 sale of substantially all of the debtor's assets

### Education

- Columbia Law School (J.D., 2012)
  - Articles Editor, Columbia Science and Technology Law Review (2011-2012)
  - Moot Court Student Editor (2010-2011)
  - Volunteer Writer, Jailhouse Lawyer's Manual (2009-2012)
  - Harlan Fiske Stone Scholar
- University of Utah (B.A., English, 2009)
  - Minor: Rhetoric and Composition
  - Phi Beta Kappa
  - Dean's List

## Professional Memberships & Activities

- California Receiver's Forum (2020-Present)
- Orange County Bankruptcy Forum
  - Secretary of Executive Board (2021-Present)
  - Board of Directors (2018-Present)
- San Diego Bankruptcy Forum
  - Board of Directors (2017-2018)
- Law Library Justice Foundation (San Diego Law Library)
  - Board of Directors (2014-2018)
- Wallace Inn of Court (2014-2016)

## Representative Presentations & Publications

- "Real Estate Loan Enforcement Overview," Co-Presenter, Special Assets, Commercial Real Estate and In-House Legal Departments for a Large Consumer and Commercial Bank (August 22, 2022)
- "[Receiverships](#)," Co-Author, Bloomberg Law (July 13, 2021)
- "Leases and Lease Income in the COVID-19 Pandemic," Speaker, California Receivers Forum Webinar (November 17, 2020)
- "Defaulted Loan Enforcement Webinar Series – Session 3: General Bankruptcy Concepts," Co-Presenter, Special Assets Team and Legal Department for a Large International Financial Institution (October 21, 2020)
- "IP Assets Caught in the Bankruptcy Rip Tide," Co-Producer, Insolvency 2020 Restructuring, Insolvency & Distressed Debt Virtual Summit (September 23, 2020)
- "[Cautionary Tales for Landlords Of Bankrupt Tenants](#)," Author, Law360 (September 8, 2017)
- "[Class Claims in Bankruptcy: Lessons From PacSun](#)," Author, Law360 (September 8, 2016)
- "[Customer Data Sale in Bankruptcy: Lessons From RadioShack](#)," Author, Law360 (July 15, 2015)

## Professional Recognition & Awards

- The Best Lawyers in America®, Ones to Watch, Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2022-2023)
- Recipient of the William J. Lasarow Award (2019)

- Wiley M. Manuel Award
- United States Bankruptcy Court Central District of California, Pro Bono Volunteer Honor Roll (2019-2021)

## **Previous Professional Experience**

- Foley & Lardner LLP
  - Associate (2012-2018)
  - Summer Associate (2011)
- Berkman Center for Internet and Society at Harvard Law School, Intern (2010)

## **Bar Admissions**

- California

## **Court Admissions**

- Supreme Court of California
- United States District Court, All Districts of California