



STEPHEN E. HYAM

As a litigator for my entire career, much of my practice involves issues that are heading toward or are in litigation. There are a variety of ways to handle these matters. Working with my clients to understand their goals, I call upon my varied experience to develop strategies for effective and efficient representation. My clients are in many different industries, including manufacturing, construction, restaurant, retail sales, technology, and entertainment. My history of representing individuals and small- to mid-market businesses has also led me to assist them in other areas including real estate, business, and contracts.

I have handled disputes ranging from small matters between two individuals to multi-party claims exceeding \$20 million in claimed damages. During my time with Clark & Trevithick, I have litigated and tried cases involving trade secret misappropriation, disputes between business owners, fraud claims, real estate disputes, and breaches of contracts. I have also represented creditors and debtors in judgment enforcement and in adversary proceedings in Bankruptcy Court.

Before joining Clark & Trevithick, I defended clients from claims arising out of catastrophic injury and death. I focused on defending doctors and hospitals from medical malpractice lawsuits.

EXPERIENCE

Complex Litigation

- Prevailed in defending against multiple claims of successor liability after client acquired assets of a distressed company in a foreclosure sale.
- Reshaped the business relationship during a contentious dispute between long-standing partners of a company, allowing the parties to continue the profitable business on friendly terms.
- Satisfied years-old disputed debt for client who obtained a security interest in a debtor's home.
- Defeated two attempts to obtain a temporary restraining order that would have caused client to be unable to show movie at film festivals. After we defeated the restraining orders, the moving party dismissed the case.

Bankruptcy And Commercial Law

- Negotiated secured and unsecured debts of closed medical practice to allow the physician to avoid personal liability.

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CONTACT

D: 213.341.1326
T: 213.629.5700
F: 213.624.9441
E: SHyam@ClarkTrev.com

PRACTICE AREAS

Litigation
Commercial Law & Insolvency
Creditor's Rights & Remedies

AFFILIATIONS

- Board of Directors, Facey Medical Foundation
- Founding Member, Executive Committee Member, California State University Northridge Attorney Networking Group

EDUCATION

- JD, Pepperdine University School of Law, 1998
- BS, Business Administration, California State University Northridge, 1995

ACCOLADES

- Listed, Southern California Super Lawyer Rising Star, 2010-2011

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EXPERIENCE

Bankruptcy And Commercial Law

- Entered nondischargeability judgments against bankruptcy debtors after having previously represented the creditor in a Superior Court trial to judgment against the same debtors for theft of trade secrets. The nondischargeability judgment allowed the client to enforce the judgment against the debtors that would have otherwise been discharged in the bankruptcy cases.
- Obtained client's dismissal without payment, through negotiations before any appearance in litigation, of fraudulent transfer claims brought in Bankruptcy Court against a foreign media design company, avoiding potentially substantial fees and costs.
- Successfully brought nondischargeability claims based on embezzlement and fraud against a business owner in bankruptcy, allowing the remaining business owners to obtain debtor's shares in the company.

Real Estate

- Effected the termination of escrow on sale of commercial real property without costly litigation, having been engaged by client after more than six months of escrow extensions and the buyer in default. Within days of the termination, the seller opened escrow with new buyers.
- Closed escrow on the purchase of undeveloped land when the client's purchase was challenged by seller, who was in bankruptcy. There were multiple buyers, so the close of escrow avoided the potential for litigation about who should be the rightful buyer.