



# CHRISTOPHER V. HAWKINS

Director

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Financial Restructuring  
Business & Finance  
Business Litigation  
Emerging Businesses & Technologies  
Real Estate  
Mergers & Acquisitions

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San Diego

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## CHRISTOPHER V. HAWKINS

### EDUCATION

- J.D., The University of Texas at Austin, School of Law
- B.A., Vanderbilt University

### AREAS OF PRACTICE

- Financial Restructuring
- Business & Finance
- Business Litigation
- Emerging Businesses & Technologies
- Real Estate
- Mergers & Acquisitions

### AWARDS AND HONORS

- Best Lawyers in America® "Lawyer of the Year" – Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, San Diego, 2023
- Best Lawyers in America® "Lawyer of the Year" – Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, 2020
- Super Lawyer, Bankruptcy, 2020-2023
- San Diego Daily Transcript's 2013 Top Attorney Nominee, Corporate Transactional

### REPRESENTATIVE MATTERS

Insolvency and Commercial Bankruptcy

- Represented the Assignee of a cosmetics company in its sale to a private equity fund through an assignment for the benefits of its creditors.
- Represented the buyer in its purchase of LLC membership interests holding nationally franchised gym facilities.
- Represented a federal equity receiver in a regulatory receivership brought by the Federal Trade Commission against a group of online automation companies.
- Represented an automated vehicle technology company in its sale through an Assignment for the Benefit of Creditors.
- Represented a Top 50 national craft brewer in the sale of its business as a going concern through a consensual receivership.
- Represented an IOT network technology company in its successful reorganization under Chapter 11.
- Represented the secured lender in an Article 9 foreclosure of its collateral under a loan facility to an international restaurant organization.
- Represented a Receiver appointed by the Delaware Chancery Court in the receivership of a genetic testing company.
- Represented the first Chapter 11 debtor to confirm a Subchapter V Small Business Reorganization plan in the Southern District of California.
- Represented the sellers of a local brewery in a workout with the buyer involving carry-back financing, avoiding an Article 9 foreclosure.
- Represented a satellite communication company in connection with its efforts to "bankruptcy proof" various transactions involving dark fiber being used to build a nationwide network.
- Represented the Assignee of a franchised organic snack food vending machine company in its liquidation through an assignment for the benefit of its creditors.
- Represented a State Court Receiver operating Burger King franchises in litigation.
- Represented the Creditors Committee in the Chapter 11 reorganization of a medical device manufacturer.
- Represented a social media content arbitrage company in connection with the Chapter 7 bankruptcy of its principal.
- Represented the lender in the nonjudicial foreclosure of a deed of trust encumbering real estate.
- Represented a non-profit habitat preservation organization in connection with its acquisitions from various bankruptcy estates of large tracts of undeveloped land for conservation purposes.
- Represented a commercial landlord in the Chapter 11 bankruptcy of Rock Bottom Brewery.
- Represented a nursing home owner-operator in its Chapter 11 bankruptcy sale.
- Represented a member of the Official Committee of Unsecured Creditors in the Chapter 11 sale of FTD.
- Represented a large group of wildfire victims in the Chapter 11 reorganization of Pacific Gas & Electric.
- Represented the San Diego Metro Transportation Service in the Chapter 11 reorganization of the "Desert Freight Line" Railroad.
- Represented the court-appointed Special Master in litigation between the owners of a large vertically integrated seed-to-sale cannabis operation.
- Represented the lender in making a secured loan to a call-center provider.
- Represented a home healthcare and hospice nonprofit in connection with its insolvency.
- Represented a Federal Court Receiver in the liquidation of an electronic cigarette company.
- Represented a b-2-b jewelry company in an out-of-court workout with its senior secured lender.
- Represented the Creditors' Committee in the Chapter 11 reorganization cases of the Southern California franchises of Party City, which cases resulted in the company's successful emergence from bankruptcy under a confirmed plan.
- Represented a regional bank in numerous commercial collection and insolvency matters.
- Represented a national consumer financial services company in its Chapter 11 reorganization.
- Represented a commercial landlord in the Sports Authority Chapter 11.
- Represented the principal of a nutraceutical/supplement company in connection with the section 363 sale of the company.
- Represented a secured creditor in the Chapter 11 reorganization of a national fast food franchise.
- Represented a snack food company in its sale as a going concern through an assignment for the benefit of creditors.
- Represented a State Court Receiver in the receivership of a \$50,000,000 commercial property in Northern California.
- Represented the post-confirmation trustee in the jointly-administered Chapter 11 bankruptcy cases of a group of national financial services companies.
- Represented a large national defense contractor in its Chapter 11 reorganization.
- Represented a Federal Court Receiver in a real estate Ponzi scheme receivership commenced by the Securities Exchange Commission.
- Represented the Creditors' Committee in the Chapter 11 case of a water meter component manufacturer.
- Represented an automotive parts wholesaler in its sale as a going concern through an assignment for the benefit of creditors.
- Represented a national health insurance and services provider in connection with its administrative claim in the Chapter 11 case of a hospice facility.
- Represented the Chapter 7 trustee in the bankruptcy liquidation of a group of 14 timeshare companies, including several hundred million dollars of notes receivable collateral.
- Represented the principal of a real estate holding consortium in connection with an out-of-court workout with the senior secured lender.
- Represented a State Court Receiver in connection with the liquidation of a group of health care provider entities.
- Represented the purchaser of a large portfolio of distressed debt in the liquidation of the real estate acquired thereunder.
- Represented the debtor-in-possession in a Chapter 11 reorganization of a professional services company.
- Represented a strategic buyer in connection with its purchase of a file company through a section 363 sale.

- Represented a government contracting construction company in its liquidation through a Chapter 7 bankruptcy.
- Represented a State Court Receiver in litigation over debt secured by real property, and the related Chapter 11 reorganization cases of several hundred restaurant franchises.
- Represented the bankruptcy examiner in the Chapter 11 reorganization of a San Diego entertainment business.
- Represented the Chapter 7 trustee in the winding up and liquidation of a large Nevada tax advice and audit advisory services company that was the target of legal attacks by the Internal Revenue Service and the Federal Trade Commission, which resulted in significant criminal and financial liability imposed upon the corporation's principals and control-persons.
- Represented the Chapter 11 trustee in a cross-border bankruptcy case involving the liquidation of a portfolio of property, including interests in the Mexico real estate holdings of a failed American development company.
- Represented the founder and principal of a surgical device design company in the company's Chapter 11 bankruptcy case.
- Represented a priority creditor in the preservation and collection of a nondischargeable judgment through a structured settlement.

## ARTICLES AND PRESENTATIONS

- Presenter, San Diego Craft Beer Con, SD Brewers Guild, August 8, 2023
- Presenter, "Navigating a Challenging Market," California Craft Brewers Association's California Craft Beer Summit, March 2023
- Presenter, California Craft Beer Summit, California Craft Brewers Association, March 21, 2023
- Presenter, "What You Need to Know About the Small Business Reorganization Act," San Diego Building Industry Supplier Credit Group, January 25, 2023
- Presenter, "What You Need to Know About the Small Business Reorganization Act," National Association of Credit Management's San Diego Building Industry Supplier Credit Group Meeting, January 2023
- Presenter, "Tap Into Knowledge: Financial Distress in the Craft Beer Industry," San Diego Brewers Guild, December 2022
- Presenter, "The Uniform Commercial Code (UCC) in Bankruptcy," San Diego County Bar Association, May 5, 2022
- Author, "In re Astria Health," Commercial Finance Newsletter by Westlaw, 2021
- Author, "In re Porter," Commercial Finance Newsletter by Westlaw and in the Insolvency Law Committee eBulletin by the California Lawyers Association, 2021
- Author, "Bankruptcy Court Finds Cross-Collateralization Provision in Separate Loan Transactions Valid and Effective (In re Porter)," Commercial Finance Newsletter by Westlaw and in the Commercial Transactions Committee eBulletin by the California Lawyers Association, 2020
- Second Case Review of "MOAC Mall Holdings LLC. v. Transform Holdco LLC (In re Sears Holdings Corporation)," Commercial Finance Newsletter by Westlaw and in the Commercial Transactions Committee eBulletin by the California Lawyers Association, 2020
- Case Review of "MOAC Mall Holdings LLC. v. Transform Holdco LLC (In re Sears Holdings Corporation)," Commercial Finance Newsletter by Westlaw and in the Commercial Transactions Committee eBulletin by the California Lawyers Association, 2020
- Author, "Creditor's Veil-piercing Claim Not Barred by Prior Receivership. Aaron Carlson Corporation v. Cohen," Commercial Finance Newsletter by Westlaw, 2019 WL 4282064
- Author, "PG&E Chapter 11: Burning Topics for Real Estate Lawyers," 38th Annual Real Property Law Section Spring Conference, May 2019
- Author, "In an Economic Downturn, It Pays to Be in the Golden State," Los Angeles Daily Journal, November 5, 2008: 7
- Author, "Pre-Petition Security Interests and Post-Petition Advances – Beware All Ye Who Enter," California Bankruptcy Journal, Volume 28, Number 3, 2006
- Author, "Calculation of Holdover Rent in a Claim for Commercial Lease Rejection Damages," The State Bar of California's Business Law News, Volume 2, 2005
- Author, "The Rooker-Feldman Doctrine and Preclusion in a Nondischargeability Proceeding – Be Careful Where You Draw the Lines," California Bankruptcy Journal, Volume 28, Number 1, 2005

## PROFESSIONAL AND COMMUNITY ACTIVITIES

- Member, San Diego Bankruptcy Forum (Past President)
- Member, San Diego County Bar Association
- Member, Business Law Section, California Lawyers Association, currently serving on the Commercial Transactions Committee
- Member, American Bankruptcy Institute
- Member, Nature Conservancy
- Member, Escondido Creek Conservancy
- Member, Surfrider Foundation
- Author, Westlaw's Commercial Finance Newsletter
- Member, California Bankruptcy Forum (Past President)
- Member, California Receiver's Forum (Past Officer and Director)
- Mentor, Crawford High School Academy of Law

## ADMISSIONS

- California
- Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Southern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California