

Peter D. Hawkes

Shareholder
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Areas of Practice

Peter Hawkes' practice has included representation at both the trial court and appellate levels, enabling him to bring a holistic and long-term view to clients' problems. He has experience in a wide range of commercial litigation matters, including securities cases, contract disputes, business torts, unlawful trade practices, insurance coverage disputes and real estate disputes. Peter also has significant experience in First Amendment litigation, white collar criminal defense, trademark litigation and representation of long term care providers.

Professional Experience

Associate, Cahill Gordon and Reindel LLP (2003-2007)
Judicial Intern, Hon. John G. Koeltl, United States District Court, Southern District of New York, (2001)

Admitted to Practice

Oregon
New York
U.S. District Court, District of Oregon
U.S. District Court, Southern District of New York
Ninth Circuit Court of Appeals

Academics

New York University School of Law (J.D., *cum laude*, 2003)
Harvard University (B.A., *magna cum laude*, 1999)

Practice Group and Specialty Team Memberships

Appellate
Business Crisis Management and Emergency Remedies
Litigation
Long Term Care and Seniors Housing Client Service Team
Real Estate Litigation
Securities Litigation

Representative Matters and Clients

Represented a major newspaper in its efforts at the trial court and appellate levels to protect its reporters' telephone records from a government subpoena.

Represented several employees of a pharmaceutical device company in connection with a federal grand jury investigation into alleged off-label marketing.

Obtained dismissal of a class action complaint against a number of long-term care facilities and their management company brought by residents for violation of the Oregon Unlawful Trade Practices Act.

Represented a large financial institution in a breach of contract action involving the purchase of a portfolio of high-yield bonds, resulting in a \$7 million verdict in the client's favor.

Represented CEO and controlling shareholder of a convenience store company in extensive litigation with an investment bank attempting to take control of the company; litigation was resolved with management retaining control of the company.

Successfully obtained summary judgment for a major motorcycle/ATV manufacturer in litigation brought by a franchisee to block termination of its franchise.

Represented a large industrial company in litigation with a public utility over excessive pricing under a market-based special contract during the Western Energy Crisis.

Succeeded in compelling arbitration of claims in a lawsuit brought by customers of a securities broker.

Negotiated favorable settlement on behalf of an architect in a construction case.

Obtained judgment on behalf of an architect in a contract dispute with a developer.

Took the lead in preparing a Ninth Circuit joint appellate brief on behalf of a group of defendants in litigation arising out of a foreclosure.

Publications

"Aiding and Abetting Liability Under State Securities Statutes," *For the Defense*, August 2010

"Partial Settlements Under Oregon Securities Law," *Law360*, April 27, 2010

"Useful methods for enforcing contracts' arbitration clauses," *Portland Business Journal*, April 2, 2010

"Legal Fallout of the Subprime Mortgage Crisis," *Navigating the Subprime Lending Industry: Leading Lawyers on Understanding the Subprime Collapse, the Causes of the Current Lending Climate, and the Industry's Pending Future*, Thompson West, 2008

"Reaching the Bottom of the Barrel: How the Securitization of Subprime Mortgages Ultimately Backfired," *The Real Estate Finance Journal*, Spring 2008

"Protection of Journalists' Sources Under Foreign and International Law," Media Law Resource Center White Paper on the Reporter's Privilege, *MLRC Bulletin*, August 2004 (Co-Author)

Awards and Honors

Named as a "Rising Star," *Super Lawyers* magazine, Business Litigation, 2008-2011

Selected "Future Star" by *Benchmark Litigation*, 2009

Multnomah Bar Association Pro Bono Honor Roll, 2007

Professional and Community Activities

Board Member, St. Andrews Legal Clinic

Member, Oregon Business Association Transportation Committee

Member, Multnomah Bar Association