

Marc N. Swanson

SERVICE AREAS

Business

- Bankruptcy, Restructuring + Insolvency
- Finance
 - Restructure, Enforcement, Insolvency + Bankruptcy
- Oil + Gas

EDUCATION

- University of Minnesota Law School, J.D.
- University of Michigan, B.A.

BAR ADMISSIONS

- Michigan

COURT ADMISSIONS

U. S. District Court

- Western District of Michigan
- Eastern District of Michigan



Associate

Detroit

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In bankruptcy cases across the country, Marc Swanson represents lenders, customers, suppliers, creditors' committees, unsecured and administrative creditors. He has extensive experience in the oil and gas, automotive, banking, and building supply industries. In addition to negotiating and documenting complex agreements, Marc litigates commercial disputes, fraudulent conveyances and preferential transfer cases.

"I pursue aggressive and innovative strategies tailored to each client's objective."

Marc N. Swanson

EXPERIENCE

An unpublished opinion from the 11th U.S. Circuit Court of Appeals directly addressed the issue Marc was arguing -- but it was exactly opposite of the way he wanted the court (a Bankruptcy Court in the Southern District of Florida) to rule. So it was an uphill battle, and he needed to construct an argument that would convince the judge in his case to disregard this opinion and rule in his favor. After countless hours of research, Marc was able to put together a significant body of case law and expert commentary that favored his position. In addition, he wrote the brief which incorporated the supporting case law and attacked the foundation of the unpublished opinion. In the end, the Bankruptcy Court ruled in his favor and adopted a significant amount of the language he used in his brief in its opinion.

"Due to an exhaustive review of bankruptcy journals, treatises and case law I helped my client win a critical battle in its lawsuit."

REPRESENTATIVE MATTERS

- Energy Company Back Royalty Payments/Chapter 11 Bankruptcy Protection
Represented an energy company that leased significant natural gas rights to another energy company that filed for Chapter 11 bankruptcy protection. At stake was almost \$2 million in back royalty payments under the lease. The court held that under Michigan law the oil and gas lease was indeed a lease under the Bankruptcy Code, entitling the client to all past due royalty payments before the debtor could continue extracting natural gas.

PROFESSIONAL ACTIVITIES

- American Bar Association
- State Bar of Michigan
- American Bankruptcy Institute

HONORS + AWARDS

- University of Minnesota Law School, cum laude; Dean's List; First Year Legal Writing Honors; International Law Moot Court
- University of Michigan, University Honors; James B. Angell Scholar; University of Michigan Democrats Club; Junior Year Abroad
- Kings College, London, England, 2003

CIVIC, CULTURAL + SOCIAL ACTIVITIES

- University of Michigan Alumni Association
- University of Michigan Club of Greater Detroit
- Michigan Humane Society

TEACHING EXPERIENCE

- University of Minnesota, Teaching Assistant, "Cases that Shocked and Shaped the Nation," September 2006-May 2007

PUBLICATIONS

WARN Act and bankruptcy, "Michigan Lawyers Weekly, September 13, 2011

"Landmark standards may not be for everyone," Michigan Lawyers Weekly, August 16, 2010

"Chrysler bankruptcy showed Section 363 a worthy solution,"
Michigan Lawyers Weekly, August 24, 2009

ARTICLES

- Duty To WARN: Laid-off Employees and the Impact of the Bankruptcy Code
- Creditors' Committees

NEWSLETTERS

- Hot Points Special Edition Bankruptcy