

## David E. Mark

Los Angeles, California  
Senior Counsel

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### Areas of Practice & Industry Specialties

Litigation; Cannabis & Hemp Industry Law Group; Apparel & Consumer Products; Entertainment Industry Law; Alternative Lenders; Fiduciaries, Receivers & Trustees



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David E. Mark focuses his practice on all aspects of commercial litigation, with particular emphasis on complex commercial litigation, creditor's rights litigation, real estate litigation and intellectual property litigation. He represents financial institutions, small to large companies, and Court-appointed receivers in a variety of litigation matters in both state and federal trial and appellate courts, before the Financial Industry Regulatory Authority (FINRA), and in mediation and arbitration proceedings. His creative approach to problem solving and first-chair trial experience allow him to be a particularly effective litigator.

Mr. Mark's extensive experience includes representing clients in matters involving contracts, fraud, breach of fiduciary duty, partnership disputes, real estate litigation, including landlord/tenant disputes, secured transactions litigation, trade secret disputes, defamation, partition actions, corporate and limited liability company dissolution actions, and securities litigation. Mr. Mark's litigation practice includes pre-litigation counseling, pre-judgment remedies, extensive law and motion and trial/arbitration practice as well as appellate and post-judgment matters. A significant portion of Mr. Mark's practice has been devoted to receivership and other creditor's rights matters throughout California and around the country.

Mr. Mark also advises cannabis businesses as a member of the Firm's Cannabis & Hemp Industry Law Group, whose representative clients include investment funds, multi-state operators, cultivators, manufacturers, distributors, retailers, intellectual property licensors, equipment lessors, factors, receivers, lenders, and packaging companies.

Mr. Mark represents clients in the apparel and consumer products industries with regard to contractual and intellectual property matters. In the entertainment industry, Mr. Mark's experience includes profit participation and contract disputes as well as litigation over copyright and California Talent Agencies Act matters.

Mr. Mark is Co-Chair of the Firm's Pro Bono committee and serves as the Second Vice-Chair of the Remedies Section of the Los Angeles County Bar Association. He served as a member of the Board of Directors of Bet Tzedek Legal Services and as Co-Chair of the Bet Tzedek New Leadership Council, of which he was a founding member. He also served as a member of the City of Hope's Music and Entertainment Industry Group as well as the co-head and co-founder of the Future Hope Committee of the City of Hope's Fashion and Retail Group.

Mr. Mark represents clients in Holocaust Survivor ZRBG Pension matters on a pro bono basis. He also participates in adoption finalization proceedings as a pro bono attorney and coordinates the Firm's participation in those matters.

Mr. Mark served as an extern for the late Hon. William J. Rea, United States District Judge for the Central District of California and was Note Editor of the *Hastings Constitutional Law Quarterly*.

Mr. Mark has been recognized by *Super Lawyers* as a Southern California Rising Star from 2015 to 2021.

**Publications**

- The Danger of Commingling Fees under the Talent Agencies Act, *Law360, Buchalter Nemer Points & Authorities*, Summer 2013

**Presentations**

- Host, "Receiver Neutrality and Receiver Communications," California Receiver's Forum, Loyola VIII Symposium, January 24, 2020
- Speaker, "Market Disruptors - Looking Ahead," Trigild 2017 Spring Lender Conference, April 19, 2017
- Moderator, "Unique Issues for Balance Sheet Lenders," 2016 Trigild Lender Conference, October 6, 2016
- Co-speaker, "The Nuts and Bolts of an Apparel Start-Up," Factory Direct Trade Show at the New Mart, in Los Angeles, CA, March 2, 2015
- Moderator, "Contempt of Court: The Receiver's Last Resort," California Receiver's Forum, March 20, 2014

**Education**

Mr. Mark earned his J.D. at the University of California, Hastings College of the Law in 2006 where he received a CALI Award in Trial Advocacy, and his B.A. in history with high honors from the University of California, Davis in 2003 where he was elected to Phi Beta Kappa.

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**Bar Admissions**

- California