

## John L. Hosack

Los Angeles, California  
Shareholder

P (213) 891-5080  
F (213) 896-0400  
[jhosack@buchalter.com](mailto:jhosack@buchalter.com)

### Areas of Practice & Industry Specialties

Mortgage Lending; Insurance Law; Litigation; Mortgage Banking;  
Alternative Lenders



John L. Hosack represents secured lenders and property owners at trial and on appeal in complex real property disputes, including lender liability, fraud, class actions, breaches of contract, wrongful foreclosures, mechanic's liens, stop notices, judicial foreclosures, receiverships, escrow claims and title insurance claims. His transactional practice includes commercial real property loan documentation, loan workouts, REO sales and foreclosures.

Mr. Hosack, who is AV Preeminent rated by *Martindale Hubbell*, has been selected as one of *Southern California's Super Lawyers* from 2006 to 2019 and was also selected as a *Southern California Super Lawyer, Corporate Counsel Edition* from 2009 to 2019. He has also been selected by *Who's Who Legal USA* from 2002 to 2019 as "one of the USA's leading practitioners" in the field of real estate.

On September 24, 2016, the American College of Mortgage Attorneys awarded Mr. Hosack a plaque to recognize his twenty years of leadership of the College's Program Committee. In recognition of his decades of contributions to continuing legal education, the California Continuing Education of the Bar awarded Mr. Hosack the Spirit of CEB Award. He has been a lecturer and a speaker for numerous organizations including the American Bar Association, State Bar of California, California Continuing Education of the Bar, University of California, Boalt Hall School of Law, Pasadena Bar Association, Beverly Hills Bar Association and the California Mortgage Association.

Mr. Hosack is a member of American College of Real Estate Lawyers (Member, Title Insurance Committee), American College of Mortgage Attorneys (Co-Chair Program Committee, 1996-2016 and Co-Chair Title Insurance Committee, 2016-), Organizer and Co-Chair of the Committee of Title Insurance Committees, Title Insurance Litigation Committee of the American Bar Association (Chair, 2001-2002), Lender's Counsel Group of the American Land Title Association (Chair, 2000) and the San Francisco Bank Attorneys Association (Chair, 1981).

### Representative Matters

- *R.E. Loans v. Investors Warranty of America* (2013) 212 Cal. App. 4th 1432 (counsel for Investors Warranty of America, et. al)
- *First American Title Insurance Company v. David Ordin et. al* (2011) 2011 Cal. App. Unpub. Lexis 6946 (counsel for David Ordin, et. al)
- *Paveco Construction, Inc. v. East West Bank* (2011) 2011 Cal. App. Unpub. Lexis 3344 (counsel for East West Bank)
- *Jerve M. Jones et al. v. Union Bank of California* (2005) 127 Cal.App.4th 542 (counsel for Union Bank of California, N.A.)
- *William Bowen v. Bank of America Corporation et al.* (2005) 126 Cal.App.4th 225 (counsel for Union Bank of California, N.A.)
- *Kenneth Hirsch v. Bank of America, N.A., et al.* (2003) 107 Cal.App.4th 708 (counsel for Comerica Bank,

formerly known as Imperial Bank)

- *Jerve M. Jones, et al. v. First American Title Insurance Company, et al.* (2003) 107 Cal.App.4th 381 (counsel for Union Bank of California, N.A.)
- *William Little v. Community Bank* (1991) 234 Ca1.App.3d 355 (counsel for Community Bank)

## **Publications**

- California Title Insurance Practice (Calif. Cont. Ed. Bar. First Ed.),
- Should You Include a Limitation of Liability Provision in Your Next Contract?, *Buchalter Client Alert*, November 19, 2019
- Bankers Trust Company v. Transamerica Title Insurance and Its Progeny: A Construction Lender's Nightmare, *American College of Mortgage Attorney's Abstract*, Fall 2018
- The Jesinoski Opinion Vs. The Statute Of Limitations, *Law360*, September 13, 2016
- Truth-In-Lending Act Rescission Part I: Why The U.S. Supreme Court's Jesinoski Opinion Does Not Defeat The Statute of Limitations, *Buchalter Nemer Points & Authorities*, August 9, 2016
- Current Developments In Risk Management For Mortgage Brokers, *Buchalter Nemer Lender Alert*, April 12, 2016
- Stop Notices and Mechanic's Liens: Construction Lenders' Nightmares, *Buchalter Nemer Lender Alert*, February 1, 2016
- The Limits to Title Insurance Protection and the Advantages of Escrow Instructions, *Title Insurance and Escrow Report, Issue #1*, February 3, 2015
- The Full Credit Bid at a Foreclosure Sale: Don't Make One Without the Advice of Knowledgeable Counsel, *Buchalter Nemer Lender Alert*, July 2014

## **Presentations**

- Speaker, "Banking Issues in the Cannabis Industry: Managing Risk Under State and Federal Law," CLE Strafford Webinar, November 5, 2019
- Panelist, "The New (and Improved) ALTA Policies: Are You Ready For Them?," American College of Mortgage Attorneys Annual Event, September 6, 2019
- Speaker, "It May Be Legal, But Is It Unconscionable and Not Enforceable," CMA 2019 Summer Seminar, July 26, 2019
- Speakers, "John Hosack, Jason Goldstein, and Michael Flynn Speakers at CMA 2019 Summer Seminar in San Diego," California Mortgage Association 2019 Summer Seminar, July 25, 2019
- Speaker, "Bankers Trust Company v. Transamerica Title Insurance Company," Committee of Title Insurance Committees, March 14, 2019
- Speaker, "John Hosack, Speaker at American Bar Association Real Property, Trust and Estate Law Section," December 5, 2018
- Speaker, "Fix + Flip Lending: Disbursing Funds, Avoiding Loss of Lien Priority, and Maintaining Title Insurance Coverage," California Mortgage Association's Summer Seminar, July 12, 2018
- Co-Speaker, "Title Insurance: Four Critical Issues," California Mortgage Association, April 26, 2018
- Speaker, "Alternative Dispute Resolution Provisions In Your Loan Documents," California Mortgage Association, Winter Seminar, Universal City, California, January 18, 2018
- Speaker, "Neighbor v. Neighbor Disputes: Boundary Line, Encroachment, Easement and View Issues," Beverly Hills Bar Association, October 11, 2017
- Speaker, "The Prospective Insured's Obligation To Make Written Disclosures to the Title Insurer," American College of Mortgage Attorneys, Annual Meeting, September 15, 2017
- Speaker, "Eliminating Title and Escrow Roadblocks," California Mortgage Association's Spring Seminar ,

April 6, 2017

- Speaker, "The Ten Most Common Mistakes Made By Lenders Relative To Escrow Instructions And Title Insurance," State Bar of California, Financial Institutions Committee, November 8, 2016
- Panelist, "Workout Wisdom," the Annual Meeting of the American College of Mortgage Attorneys in Newport Beach, September 22, 2016
- Speaker, "Mastering Escrow Instructions and Title Insurance Coverage: Critical Issues You Should Know and Traps to Avoid," Beverly Hills Bar Association, May 4, 2016
- Speaker, "Title Endorsements: A 2016 Update," the California Mortgage Associations Spring Seminar, April 29, 2016
- Speaker, "Neighbor v. Neighbor Disputes: Boundary Line, Easement and View Issues," Beverly Hills Bar Association, November 4, 2015
- Speaker, "What Good is the Appraised Value of Property, if the Lender Did Not Receive a Valid and Enforceable Lien," The Society of Chief Appraisers in Los Angeles, CA, October 28, 2015
- Speaker, "Instruction to Title and Escrow," the California Mortgage Association's Fall Seminar in Las Vegas, NV, October 22, 2015
- Speaker, "Closing Issues (How to Avoid Losing Your Real Property Security and Your Title Coverage)," the Regents Meeting of the American College of Mortgage Attorneys at the La Quinta Resort & Club in La Quinta, CA, March 7, 2015
- Speaker, "The Basics of Title Insurance: A Critical Review for 2014," the Southern California Chief Appraisers & Los Angeles RMA Meeting at The Federal Reserve Bank in Los Angeles, CA, February 19, 2015
- Speaker, "Letters of Intent: Traps for the Unwary Lender," the American College of Mortgage Attorneys Annual Meeting at Bretton Woods, New Hampshire, September 19, 2014
- Speaker, "A Litigator's Look at Appraisals and the Prevention of Litigation and Loss," the 11th Southern California Chief Appraisers Meeting in Los Angeles, CA, April 9, 2014
- Speaker, "A Litigator's Look at Appraisals and the Prevention of Litigation and Loss," the Northern California Chief Appraisers Meeting in San Francisco, CA, February 21, 2014
- Speaker, "The Basics of Title Insurance - A Critical Review for 2014," the California Mortgage Association's Winter Seminar at the Universal Hilton in Universal City, CA, January 30, 2014
- Speaker, "Neighbor v. Neighbor Disputes - Easements, Boundaries, Views," The Cardozo Society of Jewish National Fund brown bag luncheon in Los Angeles, CA, December 9, 2013
- Speaker, "Is It Legal, But Unethical?: An Analysis of the Interplay Between Civil Code Section 2860 and the Lawyer's Ethical Duties Owed to the Clients," the Los Angeles County Bar Association's Title Insurance Sub-Committee, February 21, 2012
- Speaker, "An Update on the Insured's Right to Independent Counsel," Los Angeles County Bar Association, January 1, 2012
- Chair, "Title Insurance: Transactions, Claims and Litigation," the California Continuing Education of the Bar Program, December 9, 2011
- Speaker, "Neighbor v. Neighbor Disputes: Boundary Lines, Easements and View Issues," the Beverly Hills Bar Association, November 16, 2011
- Speaker, "Title Insurance: Transactions, Claims and Litigation," California Continuing Education of the Bar, January 1, 2011
- Speaker, "Through the Looking Glass: Differing Perspectives on Distressed Real Estate Loans and Workouts," The American College of Mortgage Attorneys, 37th Annual Meeting, January 1, 2010
- Speaker, "Reducing the Risk of Fraud Through the Use of Title Insurance," California Mortgage Association, Summer Seminar, January 1, 2009

- Presenter, "Fraud, Forgery and Fund Diversion: A Lender's Guide to Recovering from Your Title Insurer," the California Mortgage Association, January 1, 2008
- Speaker, "Three Perspectives On A Construction Loan/Mechanic's Lien Dispute: Lender, Title Insurer And Retained Counsel," the American College of Mortgage Attorneys, 34th Annual Meeting, January 1, 2007
- Speaker, "Title Insurance: Preliminary Reports, Title Policies and Claims," California Continuing Education of the Bar 2006, January 1, 2006

## **Webinars**

- "Webinar: Lender Liability: Seven Critical Areas," November 6, 2019
- "Webinar: Loan Guarantees: Hedging Against a Downturn," September 25, 2019
- "Webinar: Unconscionable Loan?," May 15, 2019
- "Webinar: Risk Management for Construction Loans: 2019 Update," February 12, 2019
- "Webinar: Notes, Trust Deeds and Loan Agreements in a Changing Market: Nine Key Areas to Consider," November 13, 2018
- "Webinar: Financing the Emerging Cannabis Markets: Managing Risks and Opportunities," September 12, 2018
- "Webinar: Avoiding Loss of Lien Priority: Construction Loan Disbursements," May 8, 2018
- "Webinar: Take Out Loans: Considerations for Construction and Permanent Lenders," March 20, 2018
- "Webinar: Construction Lending: Downturns and Defaults," January 23, 2018
- "Webinar: Borrowers, Guarantors, and Sureties: Dealing With Multiple Parties to A Loan," October 24, 2017
- "Webinar: Documentation and Collection of a Loan Secured by Multiple Properties," May 23, 2017
- "Webinar: Nine Most Common Mistakes Made by Lenders Relative to Escrow Instructions and Title Insurance Policies," April 25, 2017
- "Webinar: Avoiding Lender Liability," February 21, 2017
- "Webinar: Plugging The Holes In Your Title Policy: Seven Critical Endorsements," December 8, 2016
- "Webinar: Making Guarantees Work: Improving Documentation and Practices," October 20, 2016
- "Webinar: Escrow Instructions and Title Insurance: Five Critical Issues and Three Traps to Avoid," September 13, 2016
- "Webinar: Residential Loan Servicing: Seven Major Mistakes To Avoid," August 9, 2016
- "Risk Management for Construction Loans Part II: Avoiding Time and Cost Overruns, Construction Defects and Faulty Designs," June 21, 2016
- "Webinar: Risk Management for Construction Loans," May 17, 2016
- "Webinar: Current Developments In Risk Management For Mortgage Brokers," March 22, 2016

---

## **Bar Admissions**

- California

## **Court Admissions**

- Supreme Court of the United States
- California Supreme Court
- U.S. Court of Appeals for the Ninth Circuit

- U.S. District Court for the Central District of California
- U.S. District Court for the Northern District of California
- U.S. District Court for the Southern District of California
- U.S. District Court for the Eastern District of California
- U.S. Bankruptcy Court, Southern District of California
- U.S. Bankruptcy Court, Northern District of California