



MARTIN A. ELIOPULOS

Mr. Eliopoulos is one of HFM’s home grown and more seasoned attorneys having joined the firm in 1990 and was admitted to practice law in all courts for the State of California that same year. He is also admitted to practice law in all four Federal Judicial Districts within the state of California including all Bankruptcy Courts, all District Courts, the Ninth Circuit Bankruptcy Appellate Panel and the Ninth Circuit Court of Appeals. Mr. Eliopoulos is also admitted to practice before the United States Supreme Court. He has appeared *pro hac vice* in cases filed in other states where he is not licensed to practice but is approved to appear on behalf of his clients obviating the need for his clients to locate and consult with unfamiliar out of state counsel.

PRACTICE GROUPS

- ▶ Bankruptcy, Insolvency & Reorganization
- ▶ Business Litigation

EDUCATION

- ▶ J.D., University of California, Davis (1990)
- ▶ B.A., University of Wyoming (with honors) (1987)

ADMITTED TO PRACTICE

- ▶ California

AFFILIATIONS

- ▶ State Bar of California
- ▶ American Bar Association
- ▶ San Diego County Bar Association, member Bankruptcy Law Section and former chair of Commercial Law Section
- ▶ California Lawyer’s Association, member of the Insolvency Law Committee
- ▶ United States Bankruptcy Court, Southern District of California, Bankruptcy Court Mediation Panel
- ▶ San Diego Bankruptcy Forum (former Board member)

Mr. Eliopoulos’ practice is primarily focused on bankruptcy with vast experience in representing clients on all sides of a bankruptcy case from debtors (both individual and business and starting with extensive pre-insolvency planning) to creditors (with any type of claim who may require counsel on a deteriorating financial relationship with a customer or client that appears headed into insolvency and/or bankruptcy or who requires counsel and representation in an already pending bankruptcy case), to creditors’ committees, trustees and examiners.

As for debtors, Mr. Eliopoulos has been instrumental in reorganizing and/or has himself successfully reorganized in Chapter 11 high net worth individuals and many variety of businesses including hotels, restaurants (including a restaurant chain with 30+ stores) and even an herb farm. He has also successfully liquidated in Chapter 7 multiple companies and individuals and has defended against and/or successfully resolved §523(a) nondischargeability actions and §727(a) actions to block or revoke a discharge of a debtor.

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As for creditors, and in Chapter 7, 11 and 13 proceedings, Mr. Eliopulos has successfully litigated and/or resolved multiple preference demands and/or preference adversary proceedings, successfully defended and/or litigated against automatic stay violations, lien priority disputes, lease disputes and claims objections, and has successfully prosecuted §523(a) nondischargeability actions, §727(a) actions to block or revoke a discharge of a debtor and objections to the confirmation of a plan of reorganization.

Mr. Eliopulos' bankruptcy practice goes hand in glove with his substantial experience litigating and defending business disputes in both state and federal courts and/or arbitration including breach of contract, breach of lease, breach of guaranty, third party contract disputes, disputes under the California Commercial Code including secured transactions under Article 9 and/or sales under Article 2.

Mr. Eliopulos also has substantial experience litigating and defending against creditor's rights and remedies in both state and federal courts and/or arbitration. More specifically, Mr. Eliopulos has also successfully prosecuted and/or defended against pre-judgment provisional remedies that are sought immediately upon filing litigation in both state and federal court including writs of attachment, writs of possession, appointment of a receiver and injunctive relief.

Once a case is concluded resulting in a judgment, Mr. Eliopulos has successfully prosecuted and/or defended against post-judgment enforcement proceedings including, voidable transfers (previously called fraudulent transfers), appointment of a receiver to aid in enforcement of a judgment, recording abstracts of judgment, lien notices, wage garnishment, levies under a writ of execution, judgment debtor exams, charging orders, and domesticating and enforcing sister state judgments both in California and in other states.

In summary, Mr. Eliopulos' unique and diverse practice not only enables him to anticipate the other side's next move in a business dispute, but gives him insight on what the other side's litigation and business strategy likely will be. Equally important is Mr. Eliopulos' ability to recognize and promote settlement when appropriate. His philosophy is, while most clients would prefer to not litigate a case all the way to the end given the often times significant cost and risks, preparing to litigate a case all the way to the end often results in the best settlement opportunities.

Mr. Eliopulos, who became a partner at HFM in 1996, is a former board member and current member of the San Diego Bankruptcy Forum and is a former board member and current member of the Insolvency Law Committee which is a standing committee of the Business Law Section of the California Lawyer's Association. He is also a member of the San Diego County Bar Association's Bankruptcy Law Section, and he is a member and former chair of the organization's Commercial Law Section. Mr. Eliopulos also enjoys participating on the volunteer

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mediator panel for the United States Bankruptcy Court for the Southern District of California having done so since 1995 and was voted Mediator of the Year in 2016-2017.

Mr. Eliopoulos is rated "AV Preeminent" by Martindale Hubbell™ — earning the highest possible rating for both Legal Ability and Ethical Standards. He has also been recognized as a "Top Lawyer" by the *San Diego Magazine*.

AWARDS & HONORS

- Recognized by Best Lawyers in America© (2021-2022)
- San Diego Magazine "Top Lawyers," recognized by Martindale-Hubbell® as an AV Preeminent Peer Review Rated Lawyer
- United States Bankruptcy Court, Southern District of California "Mediator of the Year" (2016-2017)