



## Scott H. Hogan

Shareholder

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Scott Hogan practices in the areas of real estate, municipal and library law, business law, and bankruptcy. Specifically, this includes:

- **Real Estate:** Handles sales, purchases, leases, condominiums, evictions, easements and all related real estate litigation.
- **Municipal and Library Law:** Handles all aspects of municipal and library real estate matters, reviews and prepares municipal contracts, acts as bond issuer's counsel in bond issuances and handles many other municipal matters.
- **Business Law:** Establishes new entities, assists with sales and purchases of companies, contracts, collections and litigation.
- **Bankruptcy/Receiverships:** Represents trustees, creditors, receiverships and debtors in all aspects of bankruptcy.

Prior to joining Foster Swift, Scott was a shareholder with Tolley VandenBosch Korolewicz & Brengle, P.C., when it joined with Foster Swift. Scott is the current practice leader for the firm's Finance, Real Estate & Bankruptcy group.

Through the years, Scott's expertise in the bankruptcy and creditor rights area has been recognized by legal leaders and peers. He is listed in *Best Lawyer in America* as well as *Michigan Super Lawyers* in the areas of Bankruptcy and Creditor/Debtors rights. Also, he was selected to author the Bankruptcy Chapter in *Michigan Basic Practice Handbook* published by the Institute for Continuing Legal Education. Additionally, he is a member of the American Bankruptcy Institute.

### REPRESENTATIVE MATTERS

- Testified in 2017 before the Judiciary Committee of the Michigan House of Representatives regarding a pending bill to adopt the Uniform Commercial Real Estate Receivership Act.

### PRACTICE AREAS

Entity Selection, Organization & Planning

Real Estate Law

Public Finance - Bond

Finance, Real Estate & Bankruptcy Law

Financial Institution Regulation & Compliance

Library Law

Municipal & Public Entity Law

### EDUCATION

Vanderbilt University Law School, J.D., 1988, Order of the Coif

Michigan State University, B.A., 1983, with Honors

### BAR AND COURT ADMISSIONS

Michigan

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Western District of Michigan

U.S. Sixth Circuit Court of Appeals

### HONORS & RECOGNITIONS

*Best Lawyers in America*®  
2007-2024 (Bankruptcy and Creditor and Debtor Rights/Insolvency and Reorganization Law, Litigation-Bankruptcy)

- Assists libraries in leases, purchases, construction projects, easements and contracts.
- Represented municipality in the acquisition of 300-plus acres of park property.
- Represented a construction company in a roof collapse matter where the case against our client was dismissed.
- Represented the purchaser of six commercial buildings in a total \$15 million transaction.
- Assisted municipality with multi-million dollar bond issuance to fund water and sewer improvements.
- Prepared and assisted in numerous installment purchase agreements for municipalities.

"Top Lawyer", *Grand Rapids Magazine*, 2022 in Real Estate Law

"Top Lawyer", *Grand Rapids Magazine*, 2019, 2020 and 2023 in Bankruptcy and Creditor/Debtor Rights Law

2012 *Best Lawyers®* Bankruptcy Litigation "Lawyer of the Year" in Grand Rapids

Michigan *Super Lawyers* 2013-2014 (Bankruptcy: Business)

## **SPEAKING ENGAGEMENTS**

**Bankruptcy in Wake of COVID**, *Foster Swift*, October 14, 2020

**Sheriff's Deeds**, *Michigan Association of Register of Deeds; Annual Summer Conference*, September 17, 2019

**Michigan Judicial Institute's Business Court Judicial Seminar**, May 24, 2018

**USDA Rural Development Bond Projects**, *Macomb County Treasurer's Association Meeting*, May 16, 2017

## **PUBLICATIONS**

**Court of Appeals Rules on Partial Lake Access Dispute, Returns Case to Trial Court for Further Proceedings**, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, April 25, 2024

**Michigan Supreme Court Says Excessive Interest is Still Illegal, No Matter What it is Called**, *Foster Swift Finance, Real Estate & Bankruptcy News*, February 6, 2024

**Important Q&A for Commercial Landlords Whose Tenants Seek Bankruptcy - Part Two**, *Foster Swift Finance, Real Estate & Bankruptcy News*, February 5, 2024

**Important Q & A for Commercial Tenants Whose Landlords Seek Bankruptcy - Part One**, *Foster Swift Finance Real Estate & Bankruptcy News*, November 10, 2023

**What are the Different Types of Easements?**, *Finance Real Estate & Bankruptcy News*, June 28, 2023



**What to Know When Your Customer Files for Bankruptcy**, *Foster Swift Finance Real Estate & Bankruptcy Law News*, November 17, 2020

**A Transfer Tax Exemption for the Sale of Certain Principal Residences**, *Foster Swift Finance, Real Estate & Bankruptcy Law News*, August 20, 2019

**Direct Purchases of Bonds By Banks: A Popular Alternative for Municipalities**, *Foster Swift Municipal Law News*, March 27, 2019

**Funding Capital Improvement Projects: Financing Options for Michigan Libraries**, *Foster Swift Municipal Law News*, February 12, 2019

**The Dos and Don'ts of Leasing Property Owned by a Municipality**, *Foster Swift Municipal Law News*, August 15, 2018

**Governor Signs Bill Adopting the Uniform Commercial Real Estate Receivership Act**, *Foster Swift Finance, Real Estate & Bankruptcy Law News E-blast*, February 7, 2018

**What Happens When a Landowner Encroaches Upon Public Property?**, July 25, 2017

**What Happens When a Landowner Encroaches Upon Public Property?**, *Foster Swift Finance, Real Estate & Bankruptcy News*, June 8, 2017

**Receivers in Divorce Cases**, *Michigan Bar Journal*, July 2015

**Zoning and the Fifth Amendment: When do Zoning Regulations "Go Too Far"?**, *Foster Swift Finance, Real Estate and Bankruptcy News*, March 6, 2015

**Receivers and New Michigan Court Rule**, *Finance, Real Estate & Bankruptcy News*, May 30, 2014

## **MEMBERSHIPS & AFFILIATIONS**

### **Legal Affiliations:**

- Grand Rapids Bar Association
- State Bar of Michigan

### **Industry & Professional Associations:**

- American Bankruptcy Institute
- National Association of Bond Lawyers

## **RECENT BLOG POSTS**

### **Michigan Bankruptcy Blog**

The Impact of Michigan's Uniform Assignment of Rents Act on Tenants' Rights

Michigan Updates and Expands its Receivership Act

Michigan House Considers Bills Proposing Adoption of the Uniform Commercial Real Estate Receivership Act

### **Tax Law Blog**

IRC §108 – Income from Discharge of Indebtedness