

DAVE HAGUE

Attorney / Of Counsel | Salt Lake City

Licensure: UT, NV

Biography

Dave is Of Counsel with Fabian VanCott and a tenured professor of law. He has extensive experience representing clients in bankruptcy and complex litigation. Dave is also the founder of two successful start-up companies, which has given him real-world expertise in various business structures, including formation, restructuring, governance, and commercial and contractual matters. He has written extensively on business and bankruptcy issues, including authoring seven law review articles as well as a casebook on business structures and statutory compliance.

Dave received his law degree from the University of Kansas, where he graduated in the top 10% of his class, was managing editor of the Kansas Law Review, and was a member of the Order of the Coif. He earned his bachelor's degree in finance from the University of Utah, graduating with highest honors.

David is admitted to state and federal courts in Utah and Nevada as well as the Tenth U.S. Circuit Court of Appeals.

Practice Areas

BANKRUPTCY & CREDITOR'S RIGHTS

BUSINESS FORMATION,
REORGANIZATION & EXITS

CONTRACTS & AGREEMENTS

LITIGATION, TRIALS & APPEALS

BANKRUPTCY LITIGATION

COMMERCIAL LITIGATION

TRIALS & APPEALS

Professional History

- Recognized as "Rising Star," Mountain States Super Lawyers
- American Bar Association
- Nevada State Bar, 2011
- U.S. Court of Appeals, Tenth Circuit, 2010
- Utah State Bar and U.S. District Court, District of Utah, 2007
- American Bankruptcy Institute of Excellence Award, 2007



FABIAN VANCOTT

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Education

J.D., University of Kansas School of Law, 2007; Order of the Coif, Managing Editor of the Kansas Law Review, Clerkship, Honorable Janice M. Karlin, U.S. Bankruptcy Court, District of Kansas

B.A., Finance, Highest Honors, University of Utah, 2004; Phi Kappa Phi, Beta Gamma Sigma and Golden Key Honor Society

Publications and Presentations

Law Review Articles

- Loopholes for the Affluent Bankrupt, 94.1 ST. JOHN'S LAW REV. 107 (2020).
- Milking the Estate, 121 W. VA. LAW REV. 83 (2018)
- SARE Manipulation: The Hurdles in Single-Asset Real Estate Cases, 67 CATH. U. L. REV. 280 (2018).
- Fraud on the Court and Abusive Discovery, 16 NEV. LAW J. 707 (2016).
- Expanding the Ponzi Scheme Presumption, 64 DEPAUL L. REV. 867 (2015).
- Turnover Actions and the "Floating Check" Controversy, 2013 UTAH L. REV. 63 (2013).
- The Ninth Amendment: A Constitutional Challenge to Corporal Punishment in Public Schools, 55 U. KAN. L. REV. 429 (2007).

Books

- Business Associations: An Online Course for Masters Students, David Hague & Chad Pomeroy (West, 2019).

Commentaries

- What Every Guarantor Should Know About the One-Action Rule and Deficiency Actions, THE ENTERPRISE (April 2012).
- Chapter 7 Bankruptcy for Guarantors of Business Debt, UTAH CEO (November 2009).
- Misrepresentations in the Life, Health, and Disability Insurance Application Process, Utah Chapter, AMERICAN BAR ASSOCIATION (2009).

Presentations

- Speaker, I'm an Article 9 Lawyer, So Why Do I Need to Know Articles 1-8 of the UCC? Business Law Section Annual Meeting, Washington, D.C. (September 2019).
- Panelist, New Scholars Corporate Law and Bankruptcy, 2019 Annual Conference, The Southeastern Association of Law Schools (August 2019).
- Panelist, New Scholars Civil Procedure, 2018 Annual Conference, The Southeastern Association of Law Schools (August 2018).
- Presenter, Teaching Secured Transactions: Integrating Ethical/Professionalism Issues, Drafting Assignments, and Learning Outcomes/Assessments, 2016 Annual Conference, The Southeastern Association of Law Schools, Amelia Island, Florida (August 2016).
- Panelist, A New Fulcrum Point for City Survival, 2015 Annual Conference, The Southeastern Association of Law Schools, Boca Raton, Florida (August 2015).
- Panelist, Expanding The Ponzi Scheme Presumption, 2014 Annual Conference, Financial Regulation and Bankruptcy Workshop, The Southeastern Association of Law Schools, Amelia Island, Florida (August 2014).
- Presenter, Defending Against Bankruptcy Avoidance Lawsuits and Purchasing Assets from a Bankruptcy Estate, UBS Financial CPA Seminar, Salt Lake City, UT (June 2012).
- Panelist, Ask the Lawyers: What if the Unexpected Happens? Society of Industrial and Office Realtors, Salt Lake City, UT (April 2012).
- Panelist, Bankruptcy and Foreclosure Issues, Salt Lake Home Builders Association, Salt Lake City, UT (October 2011).

Publications and Presentations (con't)

- Panelist, Debtor and Creditor Issues in Chapter 7 and Chapter 11 Bankruptcy, National Association of Home Builders' Builder 20 Club #33 Annual Conference, Salt Lake City, UT (March 2010).

Peer Recognition

- Recognized as "Rising Star," Mountain States Super Lawyers, 2009-2013