



Hilary Potashner

PARTNER

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Los Angeles

Hilary Potashner is a partner at Larson O'Brien and a Fellow in the prestigious American College of Trial Lawyers. She is a skilled courtroom advocate with a wealth of experience and expertise. Hilary has tried dozens of cases to verdict and has argued before the U.S. Court of Appeals for the Ninth Circuit. With over 25 years of experience, Hilary has successfully defended individuals facing charges in both state and federal court in a wide range of matters, including conspiracy, wire fraud, bank fraud, healthcare fraud, bankruptcy fraud, and other white collar cases. Hilary has also represented clients in high-stakes commercial litigation and appeals, including intellectual property and contract disputes for companies in the real estate and technology industries.

PRIOR EXPERIENCE

Hilary joined Larson O'Brien after years of service as the Federal Public Defender for the Central District of California. After her selection as the Acting Federal Public Defender in 2014, Hilary was twice appointed by the U.S. Court of Appeals for the Ninth Circuit as the Federal Public Defender for our district, first in 2015 and then again in 2019. During her tenure, Hilary represented many clients charged in serious cases, including complex fraud cases.

As the Federal Public Defender, Hilary was responsible for leading an office of more than 200 employees with an annual budget of nearly \$40 million. She oversaw the representation of thousands of individuals annually facing federal charges in magistrate and district court. Additionally, Hilary was instrumental in the creation of one of the first federal diversionary courts in the country, the Central District's Court Appointed Special Advocates (CASA) program. This program successfully launched due in part to her effective collaboration

EDUCATION

University of California, Hastings College of the Law, J.D.

Duke University, A.B.

ADMISSIONS

California

New York

U.S. Supreme Court

U.S. Court of Appeals for the Ninth Circuit

U.S.D.C. Central District of California

U.S.D.C. Southern District of California

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with the Central District Court, the U.S. Attorney's Office, and U.S. Probation and Pretrial Services.

Hilary is highly regarded by the bench and bar alike. "Hilary has been a strong and effective leader of one of the largest defenders' offices in the country," said Ninth Circuit Judge Kim McLane Wardlaw, who chairs the Ninth Circuit's Standing Committee on Federal Public Defenders. "Throughout her time as a defender, she has demonstrated an unwavering commitment to high-quality, client-centered representation. As the Federal Public Defender, Hilary has led by personal example, maintaining high morale within the office during the government shutdown, creating a non-capital habeas unit, working effectively with our courts and other stakeholders, and contributing on a national level. She has set a very high bar for anyone to follow." Hilary is being honored as the 2020 "Defense Attorney of the Year" by the Los Angeles County Bar Association Criminal Justice Section.

Prior to her nearly two decades of litigation in federal court, Hilary represented scores of individuals charged in criminal proceedings in state court during her six years as a deputy public defender for the County of San Diego.

Hilary received her J.D. from the University of California, Hastings College of the Law and her undergraduate degree from Duke University.

REPRESENTATIVE MATTERS

Significant Results from Previous Positions:

- Obtained a complete dismissal for a tax professional charged with dozens of counts of tax fraud.
- Represented a Fortune 100 company in the U.S. Court of Appeals for the Ninth Circuit arising from summary judgment order arising from commercial contract dispute.
- Obtained a complete dismissal for a doctor charged with extensive healthcare fraud.
- Represented a prominent Southern California real estate and property management company in disputes involving shareholder claims for breach of fiduciary duties and trade secret violations.
- Obtained pretrial diversion for a person charged with theft of government property.
- Secured a favorable disposition for a client charged with multiple conspiracies to commit mortgage and bank fraud case for properties in California and New York with allegations of loss in excess of \$13 million dollars.
- Secured a favorable disposition for a former Major League Baseball Player charged with bankruptcy fraud, concealment of assets, and money laundering with allegations of loss of over \$200,000.
- Obtained bail pending appeal after representing a client at trial who was charged with a sexual assault.
- Tried a case for a client charged with international smuggling of goods into the U.S. and making a false statement, and obtained an acquittal on the smuggling count and a time-served sentence for the false statement.

ACTIVITIES

- Los Angeles Chapter of the Federal Bar Association, *Board Member and Former President*
- Litigation Section Executive Committee for the Los Angeles County Bar Association, *Member*

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- American Inns of Court Los Angeles Chapter, *Member*
- The Chancery Club of Los Angeles, *Member*
- Just the Beginning—A Pipeline Organization, *Steering Committee Member*
- Ninth Circuit Jury Trial Improvement Committee, *Member*
- U.S. Court of Appeals for the Ninth Circuit, *Lawyer Representative*

AWARDS & RECOGNITION

- American College of Trial Lawyers, *Fellow*
- Los Angeles County Bar Association Criminal Justice Section, "Defense Attorney of the Year" (2020)
- *Los Angeles Business Journal*, "Leaders of Influence: Litigators & Trial Lawyers (2020)"
- *Los Angeles Business Journal*, "Top Women Attorneys in Los Angeles" (2020)