



**COLM A. MORAN**

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Colm Moran's practice focuses primarily on motor vehicle franchise law and general commercial litigation. He represents a wide array of motor vehicle manufacturers in litigation and counseling involving letters of intent, franchise terminations, warranty and incentive fraud, the implementation of new standard forms of dealer agreements, add-points, relocations, allocation issues, post-termination matters, and the interpretation of state franchise statutes. Colm has also represented automobile manufacturers in actions involving Racketeer Influenced and Corrupt Organizations (RICO) allegations arising from dealership fraud and has defended putative class actions filed against motor vehicle manufacturers relating to product issues. Colm's practice is nationwide. He has handled litigation for motor vehicle manufacturers in more than 25 jurisdictions.

Colm has also handled general commercial litigation and arbitration in California and throughout the United States. His litigation practice has encompassed a variety of commercial disputes, including putative class actions alleging federal securities law violations and cases that involved unfair competition claims, breach of contract, business tort claims, real property disputes, and insurance coverage disputes.

Before joining Hogan & Hartson, Colm was a partner at another international law firm.

**REPRESENTATIVE EXPERIENCE**

- Won summary judgment in favor of a motor vehicle manufacturer in a case where a former dealer alleged that a release agreement was an unenforceable "waiver." The matter was affirmed on appeal before the U.S. Court of Appeals for the Eleventh Circuit and the Georgia Supreme Court.
- Won an appeal of an order denying summary judgment in a Georgia case where consumers sought to hold a manufacturer responsible for dealer misconduct. The appellate court ruled that the manufacturer was entitled to judgment in its favor as

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**PRACTICES**

Litigation and Arbitration

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**INDUSTRY SECTORS**

Automotive

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**EDUCATION**

J.D., University of California, Los Angeles School of Law, 1997

B.A., *with distinction*, University of California, Berkeley, 1994

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**AWARDS / RANKINGS**

*Southern California Super Lawyers*, 2009-2011

*Southern California Super Lawyers*, Rising Stars, 2007

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**BAR ADMISSIONS /**

**QUALIFICATIONS**

California

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**COURT ADMISSIONS**

Supreme Court of California

U.S. District Court, Central District of California

U.S. District Court, Northern District of California

U.S. District Court, Southern District of California

U.S. District Court, Northern District of Alabama

U.S. District Court, District of Colorado

U.S. District Court, Northern District of Florida

U.S. District Court, Southern District of Ohio

U.S. District Court, Northern District of Texas

U.S. District Court, Southern District of Texas

U.S. Court of Appeals, Eleventh Circuit

a matter of law.

- After an evidentiary hearing, the U.S. District Court for the District of Colorado denied a dealer's motion for a preliminary injunction preventing its termination and found, among other things, that the manufacturer was likely to prevail in its contention that it was not required to review an application for a sale of the dealership submitted after a notice of termination was issued to the dealer.
- Represented distributor in challenge to termination based on dealer's breach of obligation to establish exclusive showroom. U.S. Court of Appeals for the Third Circuit affirmed the grant of summary judgment for the distributor sustaining termination as valid under New Jersey Franchise Practices Act.
- Won dismissal of a matter before the California New Motor Vehicle Board in a case where the Board ruled that it did not have jurisdiction to decide a dispute between a manufacturer and a prospective dealer who was a party to a letter of intent.\*

*\*Matter handled prior to joining Hogan & Hartson.*