



ALISON P. BUCHANAN

SHAREHOLDER, CHAIR – BUSINESS LITIGATION

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PRACTICE OVERVIEW

Alison Buchanan is a Shareholder in the firm's Silicon Valley office, where she focuses her practice on business litigation. Alison is the Chair of the firm's Business Litigation Practice Group. She represents clients in complex business disputes, including contract, fraud, misappropriation of trade secrets, unfair competition claims, and employment law litigation. She has significant trial experience, including serving as lead trial counsel in jury and bench trials in state and federal court.

Alison is a **Certified Specialist** in Legal Malpractice Law as certified by the State Bar of California Board of Legal Specialization. Her additional experience in employment and real estate litigation makes her a valued resource for her clients. Alison is a sought-after speaker on attorney ethics.

Alison was named a "Northern California Super Lawyer" from 2013-2022. Each year, no more than five percent of the lawyers in the state are selected by the research team at Super Lawyers to receive this honor. She was named a Northern California "Rising Star" in 2012.

REPRESENTATIVE MATTERS/CLIENTS

- Represents corporate clients with contract, fraud, misappropriation, and unfair business practice claims
- Represents law firms and lawyers defending allegations of professional malpractice and breach of fiduciary duty
- Represents lawyers in State Bar disciplinary proceedings
- Significant trial experience, including jury and bench trials
- Advises law firms and lawyers on ethics issues, such as conflicts, confidentiality, and fee disputes
- Federal court jury trial experience involving allegations of unfair competition and false advertising

WHAT CLIENTS ARE SAYING

"Navigating the shifting currents in business requires that your legal representative be a trusted advisor to your business. Alison is our trusted advisor. Her leadership and the capabilities of the Hoge Fenton team have served our firm well. We move forward confidently with our business strategies knowing that we are receiving the support and input of an excellent lawyer and her team."

"Alison has been an excellent business partner to my role as general counsel for a large organization. She understands the need for adequate lead time to involve others internally on key strategic decisions. Alison is exceptionally bright, anticipating issues and offering sound practical business solutions. She strikes the right balance about when to seek my input and when to make decisions on her own. Importantly, she is an exceptional writer; she always meets my expectations on product quality. Alison is my "go to" lawyer when I need sound, prompt advice on time sensitive matters. I would give her the highest recommendation to other general counsel."

"In her representation of my firm, Ms. Buchanan repeatedly demonstrated a skill set that included both a general and case-specific intellect, and appropriate aggressiveness that achieved an excellent result. She was at all times professional and personable while maintaining an adversarial posture. Alison is someone I want in my corner in any future litigation."

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WHAT CLIENTS ARE SAYING (CONT.)

"Alison represented my law partner and I in a malpractice suit. Needless to say, it was a very difficult time for us and opposing counsel was extremely unreasonable. Alison maintained grace and determination despite our obvious distress and opposing counsel's very poor behavior. She was the consummate professional and we felt she was very well-prepared for our trial. Alison worked well with us and her litigation team members, but it was clear that Alison knew all aspects of the case. Alison has a wonderful work ethic and obtained an excellent result for us. I cannot say enough nice things about her abilities."

"I have had the opportunity to be represented by Alison Buchanan on two occasions. I can say without hesitation or qualification she is an extremely competent attorney. She is both knowledgeable in the area of legal malpractice and an excellent tactician."

"Alison has helped me with a case that is difficult for me for personal and professional reasons. Her legal work is impressive. She is attentive and responsive, providing answers to my questions quickly and thoroughly. Most importantly, she takes a pragmatic approach to resolving the matter expeditiously. I would recommend her to anyone."

* These testimonials or endorsements do not constitute a guarantee, warranty, or prediction regarding the outcome of your legal matter.

PROFESSIONAL ACTIVITIES

Alison is a Certified Specialist in Legal Malpractice Law, as certified by the California State Bar Board of Legal Specialization. She previously served as a Commissioner for the Legal Malpractice Law Advisory Commission of the State Bar of California's Board of Legal Specialization.

Alison is the current Chair (and a founding member) of the California Lawyers Association's Ethics Committee.

From 2011 through 2014, Alison served a three-year appointment to the California State Bar's Standing Committee on Professional Responsibility and Conduct (COPRAC). She previously served on the Executive Committee of The Bar Association of San Francisco's Legal Malpractice Section. She is a member of APRL (Association of Professional Responsibility Lawyers). She has chaired the Professionalism Committee for the Santa Clara County Bar Association (2015 - 2016), and previously served on its Civil Practice, Business Law/Business Litigation Committees (2010 and 2011 Chair), Finance, Law Related Education (2008 Chair), and Barristers Committees. Alison is also a past co-chair of the Amicus Committee for the Campaign for Legal Services. For ten years, Alison taught Professional Responsibility at Lincoln Law School in San Jose.

Alison currently serves as a member of the Board of Directors for the Humane Society Silicon Valley. She is also a 2008 graduate of the Community Leadership San Jose-Silicon Valley Program.

PRACTICE AREAS

Business Litigation
Ethics and Professional Liability
Litigation and Dispute Resolution

EDUCATION

J.D., Chicago-Kent College of Law (Illinois Institute of Technology), with honors
B.A., Criminology, Law & Society, University of California, Irvine

ADMISSIONS

California
U.S. District Court, Central, Eastern, & Northern Districts of California
U.S. Court of Appeals, Ninth Circuit

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AWARDS

Northern California Super Lawyer. As chosen by her peers and through the independent research of Law & Politics and San Francisco Magazine from 2013-2022.

PUBLICATIONS

- [Ethics Spotlight: Dealing With Self-Represented Litigants](#), California Lawyers Association, April 2022
- [ABA Guidance on Lawyers Working Outside Their Jurisdiction](#), San Francisco Daily Journal, Feb. 10, 2021
- [Spotlight on Ethics: Recent Disqualification Cases](#), California Lawyer Association, Jan. 6, 2021
- [How the Pandemic Impacts Your Company's Litigation Strategy](#), Hoge Fenton, Sept. 8, 2020
- [Ethical Duties and Data Breaches](#), San Francisco Daily Journal, Nov. 9, 2018
- [Imputation of Conflicts of Interest \(Rule 1.10\)](#), San Francisco Daily Journal, May 5, 2017
- [Identifying and Avoiding the Unauthorized Practice of Law in a Global Economy](#), California Litigation, Volume 30, Number 1, 2017
- [Disqualified? No fees for your firm!](#), San Francisco Daily Journal, Feb. 5, 2016
- Co-author, [When a judge's past comes back to haunt](#), San Francisco Daily Journal, Feb. 20, 2015
- [Risk management resolutions for 2015](#), San Francisco Daily Journal, Jan. 16, 2015
- [Attorneys can SLAPP down some suits](#), San Francisco Daily Journal, Nov.14, 2014
- [Ethical supervision: all in a day's work](#), San Francisco Daily Journal, Sept. 26, 2014
- [Breaking Up is Hard, But Necessary, to Do](#), San Francisco Daily Journal, Aug. 8, 2014
- [Avoiding and Addressing Unexpected Ethics Issues at Trial](#), California Bar Journal, June 2014, published by the State Bar of California
- [Joint Representation: Ethical Implications and Challenges](#), California Bar Journal, Aug. 2013, published by the State Bar of California
- Co-author, [Avoiding Ethics Speed Traps on the Internet Highway](#), San Francisco Attorney, Summer 2013, published by The Bar Association of San Francisco
- [Be Tech Smart: Protecting Your Client Communications](#), San Francisco Daily Journal, Sept. 14, 2011
- [Time to Give Your Fee Agreement a Check-up?](#), CEB's Telephone Topic Newsletter for the Continuing Education of the Bar, Volume 25

SPEAKING ENGAGEMENTS

- [Lawyering in a Mobile World](#), PLI's California MCLE Marathon 2022: Current Developments in Legal Ethics-Competence Issues-Elimination of Bias, Practising Law Institute, Nov. 1, 2022
- [Ethics Update for the IP Lawyer](#), Intellectual Property Law Institute 2022, Practising Law Institute, Oct. 18, 2022
- [*ART* Common Rules of Professional Responsibility and Ethics Applied to the ART World](#), ABA Family Law 2022 Fall CLE Conference, American Bar Association, Oct. 13, 2022
- [Professional Responsibility and Liability Traps in Transactional Practice](#), ABA Standing Committee on Lawyers' Professional Liability National Legal Malpractice Conference, American Bar Association, Sept. 22, 2022
- [Estate Planning and Probate-Ethics and Estate Planning for New Attorneys: Avoiding Ethics Traps for the Unwary](#), San Mateo County Bar Association, Aug. 11, 2022
- [Legal Ethics and the Cloud](#), Cloud Computing 2022: Key Issues and Practical Guidance, Practising Law Institute, May 4, 2022
- [Panel on Civility](#), CCPUC Annual Conference, May 2, 2022
- [Managing Professionals Professionally – A Guide for Lawyers](#), California Lawyers Association, Jan. 25, 2022
- [The Latest Developments in Attorney Ethics and the Law of Lawyering](#), PLI California MCLE Marathon, Practising Law Institute, Nov. 8, 2021
- [Annual Ethics Update](#), PilotLegis Annual Meeting, Oct. 23, 2021
- [Ethics Update for the IP Lawyer](#), Intellectual Property Law Institute 2021, Practising Law Institute, Oct. 19, 2021
- [Ethical Trends in the Use of AI and Cloud Computing](#), Think Like a Lawyer, Talk Like a Geek 2021: Get Fluent in Technology, Practising Law Institute, Oct. 15, 2021
- [A Year in Review: Legal Ethics and Professional Responsibility](#), 2021 CLA Annual Meeting, California Lawyers Association, Sept. 23, 2021
- [Ethical Issues in Virtual Remote Work](#), California Lawyers Association and Small Firm Summit, June 25, 2021

SPEAKING ENGAGEMENTS (CONT.)

- *Take-offs and Landings: Ethical Risks in Initiating and Terminating Attorney-Client Relationships*, American Bar Association, June 21, 2021
- *Ethics Update for Legal Professionals*, Legal Professionals, Inc., June 3, 2021
- *Legal Ethics and the Cloud*, Practising Law Institute, May 10, 2021
- *Legal Ethics Issues for Employment Lawyers*, Santa Clara County Bar Association, May 6, 2021
- *Ethics Update: What You Need to Know*, Santa Clara County Legal Professionals Association, Jan. 12, 2021
- *Work From Home Best Practices/Ethics Issues*, Santa Clara County Bar Association, Nov. 20, 2020
- *The Latest Developments in Attorney Ethics and the Law of Lawyering*, Practising Law Institute, Nov. 16, 2020
- *Ethical Issues Facing Women Lawyers*, MSheLE, Oct. 28, 2020
- *Ethics Update for the IP Lawyer*, Practising Law Institute, Oct. 19, 2020
- *Hindsight in 2020: A Legal Ethics Year in Review*, California Lawyers Association, Sept. 25, 2020
- *Everything You Never Wanted to Know About Malpractice Claims and What to Do When One Happens to You*, Association Certified Family Law Specialists, Aug. 28, 2020
- *Ethical Issues Confronting Trusts and Estates Lawyers*, San Mateo County Bar Association, May 21, 2020
- *Ethical Issues in IP Practice*, California Lawyers Association, May 19, 2020
- *Critical Ethics Issues for the IP Lawyer*, IP Law Institute 2019, Practising Law Institute, Oct. 21-22, 2019
- *Professional Responsibility in California: Past, Present and Future*, 2019 Annual Meeting, California Lawyers Association, Oct. 10, 2019
- *The New Rules of Professional Conduct: A Year in Review*, 2019 Annual Meeting, California Lawyers Association, Oct. 11, 2019
- *Trial: All About the Prep*, Santa Clara County Legal Professionals Association, July 10, 2019
- *Legal Ethics and the Cloud*, Practising Law Institute, May 13, 2019
- *Sex, Lies, and Diligence: Ethics in a New Era*, CLA's 25th Annual Public Sector Conference, April 12, 2019
- *Is This A Conflict? Ethical Traps That Could Surprise You*, ALI CLE, Jan. 10, 2019
- *California MCLE Marathon 2018: Current Developments in Legal Ethics – Competence Issues – Elimination of Bias*, PLI Institute, Dec. 4, 2018
- *The New Rules of Professional Conduct: What You Absolutely Must Know*, EACBA, Nov. 15, 2018
- *Ethical Considerations in the Startup Space*, California Lawyers Association IP Institute, Nov. 9, 2018
- [Joint Representations: Avoiding Ethical Issues](#), Lorman.com Webinar, 2018
- *The New California Rules of Professional Conduct Effective November 1, 2018*, SCCBA, Nov. 7, 2018
- *Annual 3 in 1: Elimination of Bias, Legal Ethics, Competence Issues 2018*, Santa Clara County Bar Association (SCCBA), Nov. 7, 2018
- *Learn the Revised (New) Rules of Professional Conduct: Your Practice Depends On It*, Santa Clara County Bar Association (SCCBA), Oct. 25, 2018
- *Joint Representations: Avoiding Ethical Issues*, Lorman Education, Oct. 24, 2018
- *Critical Ethics Issues for the IP Lawyer*, PLI's Intellectual Property Law Institute 2018, Oct. 23, 2018
- *The Ethics Game: An Interactive Approach to Understanding the Top Ethics Developments This Year*, APRL Annual Conference, Aug. 3, 2018
- *Ethics Updates for Legal Professionals*, Santa Clara County Legal Professionals Association, May 8, 2018
- *Hearsay and How to Protect the Expert Witness and Their Testimony at Deposition and Trial for Attorneys and Experts*, Forensic Expert Witness Association 2018 National Conference, April 27, 2018
- *Legal Ethics and Technology*, Northern California Attorneys and Advocates, April 16, 2018
- *Tech Competence and Confidentiality*, Santa Clara University Law Professional Responsibility Class, Feb. 21, 2018
- *Challenging Issues in Insurance Defense Practice*, Assoc. of Professional Responsibility Lawyers, Feb. 2, 2018
- *Preparing for the Worst; Hoping for the Best; What You Need to Know When Winding Down Your Practice (or Taking Over for a Colleague)*, Sonoma County Bar Association, Jan. 29, 2018
- *Tech Ethics for Lawyers*, San Mateo County Bar Association "Funky Credit Day," Jan. 12, 2018
- *Ethics*, Jerry A. Kasner Estate Planning Symposium, Santa Clara University, Sept. 8, 2017
- *Critical Ethics Issues for the IP Lawyer*, PLI IP Institute, Oct. 24, 2017
- *Ethics & Technology*, Placer County Bar Association's Spring MCLE Mountain Retreat, April 21, 2017
- *Elimination of Bias*, Sunnyvale-Cupertino Bar Association, March 13, 2017

SPEAKING ENGAGEMENTS (CONT.)

- *Ethical Issues and the Use of Technology in the Practice of Law*, San Mateo County Bar Association, Jan. 27, 2017
- *2016 Legal Ethics Developments: A Fast-Paced Recap*, SCCBA Annual MCLE Marathon, Jan. 27, 2017
- *Legal Ethics for Estate Planners*, Silicon Valley Bar Association, Jan. 26, 2017
- *Legal Malpractice and Ethics: 2016 In Review*, Bar Association of San Francisco, Jan. 19, 2017
- *Ethical Issues for Experts and Counsel*, Forensic Expert Witness Association Annual Meeting, May 20, 2016
- *Ethics and Technology in the Practice of Law*, SMCBA, "Funky Credit Day," Jan. 29, 2016
- *Legal Ethics*, Santa Clara County Bar Association MCLE Marathon Live, Jan. 22, 2016
- *Legal Malpractice and Ethics: 2015 in Review*, The San Francisco Bar Association, Jan. 22, 2016
- *Top Ten Ethics Tips for Using the Internet to Enhance and Market Your Practice*, Association of Defense Counsel 56th Annual Meeting, Dec. 10, 2015
- *Attorney Fee Payments: New Options, Old Ethics*, The Bar Association of San Francisco, Sept. 23, 2015
- *Ethics & Social Media*, Napa County Women Lawyers, Sept. 9, 2015
- *Multijurisdictional Practice and the Unauthorized Practice of Law: Complying With the Rules*, The Bar Association of San Francisco, March 19, 2015
- *The Perils of Multijurisdictional and Cross-Border Practice*, Legal Malpractice & Risk Management Conference, Feb. 27, 2015
- *Two Lawyers, One Client: Ethical Issues in Co-Counsel Relationships*, American Law Institute Continuing Legal Education (ALI CLE), Feb. 11, 2015
- *Legal Malpractice and Professional Ethics: Recent Developments*, The San Francisco Bar Association, Jan. 27, 2015
- *Ethics and Professional Responsibility Roundup*, Santa Clara County Bar Association MCLE Marathon Live event, January 23, 2015
- Moderator, *Keeping Your Bearings In The Crucible: Ethics At Trial*, American Business Trial Lawyers, Jan. 20, 2015
- *Ethics & Social Media*, Santa Clara County Trial Lawyers Association, Dec. 4, 2014
- *Trial Ethics: Common Issues At Trial*, The Bar Association of San Francisco, Oct. 23, 2014
- *Walking the Rule 1.1 Tightrope*, The Conference of California Public Utility Counsel, Sept. 30, 2014
- *The Latest Developments in Legal Ethics*, Eastern Alameda County Bar Association, Sept. 19, 2014
- *Starting Off on the Right Foot: Addressing Ethics Issues at the Outset*, State Bar of California 87th Annual Meeting, Sept. 12, 2014
- *The Ethics of Getting Your Legal Fees Paid*, State Bar of California 87th Annual Meeting, Sept. 12, 2014
- *Multijurisdictional Practice and Globalization of the Legal Profession*, presented to a private law firm all attorney retreat, Sept. 6, 2014
- *10 Tips for Ethically Using Technology in Your Practice*, West Valley Bar Association, July 31, 2014
- *Ensure Your Trial Practices are Beyond Reproach*, National Business Institute, July 22, 2014
- *Complex Issues with the Attorney-Client Privilege*, California State Bar Solo & Small Firm Summit, June 19, 2014
- *Crisis Management for In-House Counsel*, Strafford, June 4, 2014
- *Social Media & Ethics*, Sonoma County Women in Law, May 22, 2014
- *Ethics Updates for Legal Professionals*, Santa Clara County Legal Professionals Association, April 24, 2014
- *Ethics of Social Media and Attorney Ratings Websites*, Contra Costa County Bar Association, April 15, 2014
- Moderator, *Trial Ethics: Don't Risk Your Soul to Win a Point*, California State Bar 18th Annual Statewide Ethics Symposium, April 12, 2014
- *Ethics for Employee Benefits Lawyers*, American Law Institute Continuing Legal Education, April 4, 2014
- *Navigating the Internet Highway and Legal Ethics*, The Bar Association of San Francisco, Jan. 28, 2014
- *At the Intersection of Ethics and Technology*, San Mateo County Bar Association "Funky Credit Day", Jan. 24, 2014
- *Joint Representation: Avoiding the Ethical Risks*, American Law Institute Continuing Legal Education, Dec. 12, 2013
- *You May Be Breaching Ethical Rules Every Time You Use the Internet*, SCCBA, Dec. 10, 2013
- *The Estate Planner Roadmap to Conflicts*, State Bar of California Annual Taxation Conference, Nov. 7, 2013
- *Conflicts 201: Beyond the Basics*, State Bar of California 86th Annual Meeting, Oct. 12, 2013
- *Ethical Risk Management*, The Berkeley Albany Bar Association, Sept. 16, 2013
- *Ethical Collections and Fee Arbitration*, The Bar Association of San Francisco, July 25, 2013
- *Ethical Lawyering Opposite a Pro Per*, Sonoma County Women in Law, May 23, 2013
- *Ethical Lawyering Opposite a Pro Per*, Sonoma County Women in Law, May 23, 2013

SPEAKING ENGAGEMENTS (CONT.)

- *The Nuts and Bolts of Litigating Against Vexatious Litigants*, Santa Clara County Bar Association, May 15, 2013
- *Sticks and Stones May Break Your Bones, But Your Own Words (and Conduct) Might Really Hurt You*, California State Bar 17th Annual Statewide Ethics Symposium, April 20, 2013
- *Ethics Updates for Legal Professionals*, Santa Clara County Legal Professionals Association, April 18, 2013
- *Ethics: Non-Traditional Payment Methods*, The Bar Association of San Francisco, March 14, 2013
- *Ethics and Social Media*, presented by the Bay Area APALSA (Asian Pacific-Islander American Law Students Association) Annual Meeting, Jan. 26, 2013
- *MCLE Live Day 2013: Legal Ethics*, Santa Clara County Bar Association, Jan. 25, 2013
- *Elimination of Bias*, Sunnyvale-Cupertino Bar Association, Jan. 14, 2013
- *Legal Ethics for Solo Practitioners*, Santa Clara Law How to Start a Solo Practice program, Dec. 14, 2012
- *Ethics of Social Media for Lawyers*, The Bar Association of San Francisco, Nov. 27, 2012
- *Conflicts 101*, State Bar of California 85th Annual Meeting, Oct. 13, 2012
- *Ethics for Attorneys: Hot Topics in 2012*, The Knowledge Congress, Aug. 29, 2012
- *Ethics Updates for Legal Professionals*, Santa Clara County Legal Professionals Association, March 22, 2012
- *The State Bar Discipline System*, Santa Clara Bar Association, Jan. 20, 2012
- *Eliminating Bias*, Sunnyvale-Cupertino Bar Association, Jan. 9, 2012