

Kevin M. Hogan

ASSOCIATE

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Kevin Hogan represents businesses, boards, and investors in complex commercial litigation, with a primary focus on disputes arising from mergers and acquisitions, securities matters, and other high-stakes financial litigation. Clients rely on Kevin for practical, business-minded guidance in matters that directly impact enterprise value and strategic objectives.

Kevin regularly handles pre- and post-closing M&A disputes, securities investigations and class actions, and post-investment conflicts involving private equity sponsors and investment firms. He works closely with decision-makers to assess risk, develop litigation strategy, and align outcomes with broader business priorities. His approach emphasizes efficient resolution when possible, while remaining fully prepared to litigate aggressively when necessary.

In addition to his M&A litigation practice, Kevin has meaningful experience in the sports law arena. He has represented stakeholders across the sports industry in complex disputes, including matters involving professional and collegiate sports organizations, giving him insight into the unique legal, regulatory, and business dynamics of the sports world.

Kevin's experience across a wide range of complex disputes allows him to provide strategic counsel that helps clients manage exposure, protect enterprise value, and resolve disputes efficiently.

Education

- University of Illinois College of Law (J.D., *summa cum laude*, *Order of the Coif*, 2021)
- Marquette University (B.A., 2013)
 - Journalism and Political Science

Bar Admissions

- Illinois, 2021

Capabilities

- Commercial Litigation
- Litigation
- Mergers & Acquisitions Litigation
- Privacy Litigation

Court Admissions

- U.S. District Court, Northern District of Illinois
- U.S. District Court, Central District of Illinois

Memberships

- American Bar Association
- Illinois Bar Association
- Chicago Bar Association

Recognition

- Named one of *Best Lawyers: Ones to Watch® in America* in Commercial Litigation, 2026
- University of Illinois College of Law National Moot Court Team
- Frederick Green Honorary Moot Court Team
- Editor, *Illinois College of Law Journal of Law, Technology, and Policy*

Matters

M&A, Securities and Financial Litigation

- Represented multiple private equity firms (Buyers and Sellers) in post-closing indemnification, fraud, and earn-out claims and working capital disputes related to sale or purchase of portfolio companies.
- Successfully represented a publicly traded biopharmaceutical company in the defense of multi-million-dollar securities class action claims alleging violations of Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5.
- Represented a portfolio company in expedited litigation involving a challenge to the authority and composition of its managing board.
- Represented managing board members of a real estate development company in a dispute concerning governance, control, and fiduciary obligations.
- Represented a private equity firm in litigation arising from a multi-million-dollar investment involving alleged fraud, misappropriation of funds, and related financial misconduct.
- Represented companies and individuals being investigated by the SEC, including investigations related to potential violations of securities trading laws, rules, and regulations, and corporate disclosure obligations.

Sports

- Represented a Division I collegiate athletic conference in litigation arising out of conference realignment, including efforts to enforce contractual obligations and governing documents.
- Represented a major collegiate athletic conference in a contract dispute with a third-party vendor concerning realignment-related advisory and forecasting services.
- Represented a professional sports agency and its principals in a dispute with a players' union involving agent certification, regulatory compliance, and the continued operation of the agency.
- Represented a professional sports franchise and a collegiate athletic conference in

matters seeking to protect confidential and proprietary business information from public-records disclosure.

Additional Matters

- Successfully represented plaintiffs who were seeking reinstatement as officers and managers in a limited liability company in an action brought under 6 Del. C. § 18-110 in Delaware Chancery Court. The Court declared that the plaintiffs had been improperly removed, reinstated the plaintiffs as officers and managers, and awarded them their attorney's fees under a contractual prevailing party fee shifting provision.
- Represented a health care IT consulting firm in a suit by a former employee who claimed ownership of a proprietary health care software program and sought more than \$150 million in damages. After substantial discovery and active litigation, the Polsinelli team secured a complete summary judgment for our client weeks before trial.
- Represented multiple companies in defending against claims brought under the Illinois Biometric Information Privacy Act (BIPA), including challenges to class certification, statutory standing, and damages exposure.
- Represented a U.S.-based company in high-stakes litigation and emergency proceedings to prevent the unlawful takeover of its business by a foreign sovereign following political and governmental upheaval.
- Successfully represented a pro bono client in post-conviction proceedings resulting in removal from death row, resolving one of the most serious criminal penalties under California law.

Publications

May 15, 2023

M&A Litigation: Early Dispute Resolution Successes

February 16, 2023

What's up with Illinois' BIPA

February 2, 2023

Tech Transactions & Data Privacy 2023 Report