



Tracy A. Marion

Shareholder

Bar admissions: Georgia, 2006
Alabama, 2014

Practice Areas

- Federal Government contracting
- Intellectual property litigation
- Bankruptcy and creditors' rights
- Business Disputes
- Securities law and litigation
- Litigation and dispute resolution
- Federal security clearance matters

Profile

Mr. Marion represents companies in litigation involving intellectual property (patents, trademarks, copyrights, and trade secrets, etc.), including matters involving infringement, likelihood of confusion, and unfair competition.

Mr. Marion represents government contractors in all aspects of the government-contractor relationship, including advising clients about the Federal Acquisition Regulation (FAR), assisting clients with contractual matters, and representing contractors in various administrative and adversarial matters. Mr. Marion has successfully brought and defended numerous bid protests, successfully represented contractors in suspension and debarment proceedings, and navigated and resolved numerous complex contractual disputes. He has also successfully defended parties before the U.S. Department of Defense and Defense Office of Hearings and Appeals (DOHA) concerning the potential loss of security clearance.

Mr. Marion also defends companies and executives in complex commercial disputes in state and federal courts as well as arbitration. He represents companies in many different industries in actions involving claims of breach of contract, business torts, fraud, and breach of restrictive covenants such as non-compete and non-solicitation provisions.

Representative Cases

- Regularly represents clients before the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office.
- Represented an international governing agency in a dispute over scope of deliverables in multi-billion dollar missile defense contract.
- Represented a large software company in arbitration involving alleged breach of contract for project located in multiple theaters of war.
- Represented parties before U.S. Department of Defense and Defense Office of Hearings and Appeals (DOHA) concerning potential loss of security clearances.

No representation is made that the quality of legal services to be performed is greater than the quality of legal services performed by other lawyers.

Representative Cases (continued)

- Represented government contractors in bid protests involving government agencies, such as the U.S. Customs and Border Patrol and U.S. Department of Defense.
- Counseled broker-dealer and registered investment advisor on regulatory and compliance issues involved in combination of firms with over \$2 billion in assets under management.

Court Admissions

United States Court of Appeals for the Eleventh Circuit

United States Court of Federal Claims

United States Court of International Trade

United States District Courts

Northern District of Alabama

Northern District of Georgia

Middle District of Georgia

United States Bankruptcy Courts

Northern District of Alabama

Northern District of Georgia

All Alabama State Courts

All Georgia State Courts

Professional Associations

Federal Bar Association

Alabama Bar Association

Huntsville-Madison County Bar Association

State Bar of Georgia

Education

J.D., *cum laude*, 2006, Cumberland School of Law, Samford University, Birmingham, AL

Member, *Cumberland Law Review*

Winner, Haley Trial Competition (2005)

Runner-up, Parham Williams Trial Competition (2004)

B.A., *magna cum laude*, 2003, Georgia State University, Atlanta, GA

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Publications

- “Show Me The Money: How Investment Banks Can Enhance the Likelihood of Having Their Fees Paid in Full for Services Provided in Turnarounds and Restructurings,” *ABI Investment Banking Newsletter* (Winter 2008).
- “The Preferential Tug of War: What To Do When a Bankrupt Company’s Trustee Tries To Get You To Return Payments Received,” *The Financial Manager* (published by the Broadcast Cable Financial Management Association, November-December 2007).
- “Confusion over Bankruptcy Estate Valuations: A Case of Losing the Forest for the Trees,” *Cumberland Law Review* (2006).

Other Experience

Huntsville-Madison County Chamber of Commerce

Member, Executive Committee, 2016

Member, Board of Directors, 2016

Adjunct Lecturer in Business Law, University of Alabama in Huntsville, 2016–

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