

# Marshall Winn, MEMBER

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In a career spanning over thirty-five years of practice, Marshall Winn has had the rare opportunity to practice corporate, real estate, bankruptcy, tax, estate planning, and other areas of law at a high level, and in addition has been greatly respected as a trial lawyer with expertise in several substantive fields such as product liability, insurance coverage, bankruptcy, securities fraud, and antitrust, among others. The result: hundreds of clients with deals done, plans effected, trials won, all with greatest efficiency and client satisfaction. How is this possible in an age of increasing lawyer specialization? First, Marshall points to his partners and friends at Wyche, all spectacularly capable and eager to join in the effort to win a matter for a client – so assembling an expert team, or just asking for a little expert advice, is commonplace. Second, South Carolina is a small jurisdiction, and a smart lawyer with broad interests can end up involved in all kinds of things. Third, Marshall has developed a knack for “seeing around the corner” to anticipate and resolve issues before they become problems. Over time, that leads to a deep knowledge of the law in many fields, and it earns clients’ trust in Marshall’s advice.

Beginning over ten years ago, Marshall has served as outside general counsel to several clients based in Europe, handling legal matters for all their US businesses, working with other Wyche lawyers, and overseeing legal matters for most of their non-US businesses, working with local counsel. This international work has strengthened Wyche’s remarkable corporate practice. Marshall still attracts major litigation and corporate work to the firm and is often called upon by colleagues for counsel and assistance in other matters.

Marshall will tell anyone who will listen that he has the best law job in the world, practicing with his friends at a very sophisticated level in a firm small enough to appreciate and celebrate everyone’s differences and in a city where the firm’s influence for the good of the public is visible to the casual visitor as well as behind the scenes.



He is personally involved in many of these efforts, and for fun he sings in the local symphonic chorale, plays the piano, and takes friends and their families on hikes in the nearby mountains.

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## CONTACT

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## PRACTICE AREAS

- **Bankruptcy, Insolvency and Creditors' Rights**
  - **Product Liability**
  - **Construction**
  - **Insurance Coverage**
  - **Litigation**
  - **Big Case Litigation**
  - **Novel Questions of Law**
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## EDUCATION

<b>1982, J.D.</b>	<b>Harvard Law School, Board of Student Advisors, Member, 1980-82, Chairman, 1981-82; Faculty Legal Education Committee Member, 1981-82</b>
<b>1974, B.A.</b>	<b>University of South Carolina Honors College, <i>summa cum laude</i>, Phi Beta Kappa</b>

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## REPRESENTATIVE MATTERS

- **Represented a major paper manufacturer in a general liability insurance claim involving failure of a large piece of equipment. After three days of trial, the opposing party raised its pretrial offer from \$200,000 to the full amount of the claim, nearly \$2 million, resulting in settlement of the case.**
- **Marshall defended a large military goods manufacturer against a wrongful-rejection claim brought by a supplier alleging damages in the millions of dollars. The jury rendered a verdict for our client, even though the defense was based on a complicated Uniform Commercial Code theory.**
- **For many years Marshall represented a well-known fitness equipment manufacturer. Using a principle of bankruptcy law he argued was applicable to certain legacy products, Marshall was able to resolve literally scores of personal-injury claims all across the country without any payment whatsoever by either the client or the client's insurer.**
- **After a disastrous decision of the state supreme court while represented by another law firm, an international client retained Marshall to resolve a complex matter involving a multi-million dollar U.S. judgment and potential criminal liability. Through patient negotiation over several months, Marshall was able to settle the matter on very favorable terms for the client, which**

settlement enabled the client to begin a series of business transactions resulting in acquisition of one of the largest industrial enterprises in Europe. Marshall continues to represent that client in both U.S. and European matters.

- Marshall defended an insurance company in a substantial fidelity coverage claim brought by a large local bank, resulting in a jury verdict in favor of the defendant. Jurors interviewed after the verdict took note of certain special tactical decisions Marshall made as being important to their decision.
- In defending a regional supermarket chain against an antitrust claim brought by a larger competitor, Marshall established much of the defense case through sometimes dramatic cross examination of the plaintiff's witnesses. The plaintiff took six days to put on its case. Sensing an opportunity, and after discussing this with the client, Marshall made a strategic decision to abbreviate the defense case to one day. The jury returned a verdict for the defense after fifteen minutes of deliberation.

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## PROFESSIONAL BACKGROUND

1985-Present	Wyche, P.A.
1982-85	Associate, Buist, Moore, Smythe & McGee, Charleston, South Carolina
1974-79	Admissions Officer, University of South Carolina; founding Director of Admissions, South Carolina Honors College, 1976-79

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## BAR & COURT ADMISSIONS

- Supreme Court of the United States, 1991
- South Carolina Bar, 1982

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## PROFESSIONAL & COMMUNITY ACTIVITIES`

- American Bar Association Foundation, Fellow
- Board of Law Examiners, by appointment of the South Carolina Supreme Court, Member, 2003-2013
- The Nature Conservancy of South Carolina, Jones Gap State Park Expansion Project, 2009-Present
- Urban League of the Upstate, Board Member and Chairman of the Board of Trustees, 2002-2012
- University of South Carolina Honors College, Partnership Board, 1999-Present
- Greenville Civic Chorale, Member, 1985-Present

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## PUBLICATIONS & PRESENTATIONS

- Doing Business in South Carolina Guide, co-author of Section XIII: Debtor and Creditor; Insolvency; Fraudulent Conveyances; Liens, and Section XVIII: Commercial Law; Miscellaneous
- Co-author, "Till Death Do We Split: Married Couples and Single Persons Under the Individual Income Tax," 34 S.C.L. Rev. 829, 1983

## HONORS AND AWARDS

- 2018** *Best Lawyers 2018 Greenville Mass Tort Litigation/Class Actions-Defendants "Lawyer of the Year"*
- 2018** *Best Lawyers 2018 Greenville Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law "Lawyer of the Year"*
- 2012 - Present** Recognized as "Legal Elite" by the *Greenville Business Magazine*
- 2008 - Present** Listed in South Carolina *Super Lawyers*
- 2004 - Present** Listed in *Best Lawyers In America*
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