



## Attorney Bradley D. Pack



### Shareholder

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2800 North Central Avenue, Suite 1200, Phoenix, Arizona 85004

### Practice

- Commercial Litigation
- Bankruptcy and Reorganization
- Creditors' Rights
- Loan Workouts
- Commercial Landlord
- Tenant Law
- Business and Financial
- Restructuring

### Education

University of Arizona – Rogers  
James E. Rogers College of Law,  
J.D., summa cum laude 2005

Pennsylvania State University  
B.A. Labor Studies and Industrial  
Relations, minor in Economics

*Recognized in Phi Beta Kappa and  
the Golden Key National Honor  
Society for excellent performance.*

### Admissions

Arizona Supreme Court, U.S.  
District Court for District of  
Arizona, 9th Circuit U.S. Court  
of Appeals

### Assisted By

Paul Manley



**Bradley D. Pack** joined Engelman Berger after completing a clerkship for the Arizona Court of Appeals, Hon. Susan A. Ehrlich. His practice focuses on the representation of both creditors and debtors in Chapter 11 bankruptcies, receiverships, and complex loan workouts. Bradley also represents lending institutions and small and medium-sized businesses in commercial litigation matters concerning business loan and contract disputes. In addition, he has successfully represented litigants in appeals before the Ninth Circuit Court of Appeals, the Ninth Circuit Bankruptcy Appellate Panel and the Arizona Court of Appeals.

As an undergraduate, Brad worked on international child labor issues while interning for the AFL-CIO American Center for International Labor Solidarity.

### Focus

Providing legal representation and counseling at the highest level of quality and efficiency.

### Clients

Borrowers, Financial Institutions, Owners of Troubled Businesses, Property Managers, Real Estate Brokers/Developers, Real Estate Brokers: Commercial and Residential, Resorts, Restructuring

### Industries

Banking and Finance, Business, Hospitality, Real Estate

### Professional

Arizona Foundation for Legal Services & Education, Board Member

ADL Arizona, Regional Board Member

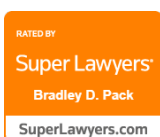
Arizona State Bar Bankruptcy Section, 2015 Convention Chair

Arizona State Bar, Young Lawyers Division, Secretary and Board Member 2009-2011

Arizona State Bar, CLE Committee

Arizona Bankruptcy Inn of Court, Barrister Member

Volunteer Lawyers Program, Pro Bono Legal Representations





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### Recognition

Recognized in *The Best Lawyers in America*® in Phoenix, AZ, in the fields of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law, since 2020; Appellate Practice, since 2021; and Commercial Litigation, since 2021

Selected to Southwest Rising Stars, Bankruptcy, Appellate, General Litigation, since 2012

Certified as Bankruptcy Specialist, State Bar of Arizona Board of Legal Specialization

Volunteer Lawyer of the Month for representation of the victims of a mortgage fraud scheme

U of A, National Moot Court Competition Team, Awards for excellent written and oral advocacy skills

Arizona Law Review, Research Editor

Order of the Coif, Member

Richard Grand Legal Writing Competition, 1st Place; Damages Competition, Finalist

### Career Highlights

Represented the owner of a landmark 330-room Arizona resort and golf facility in Chapter 11 reorganization proceedings, which ultimately resulted in a Court-approved sale of substantially all of the resort's assets free and clear of liens and encumbrances.

Represented owner of 150-unit affordable housing community in Chapter 11 reorganization through plan confirmation and defense of appeal of confirmation and valuation orders to Arizona District Court.

Represented lender in contested receivership and breach of contract lawsuit involving multimillion dollar financing for the acquisition, construction and development of a 58-unit residential condominium; defeated guarantors' argument that deficiency judgment was prohibited by anti-deficiency statutes; successfully represented lender in special action appeal of order authorizing receiver's sale of collateral.

Obtained judgment in favor of Chapter 7 trustee in action to avoid unauthorized post-petition transfer of estate assets and successfully defended trustee through multiple appeals of the judgment.

Obtained orders granting relief from the automatic stay to permit lenders to foreclose deeds of trust on commercial real estate projects in a number of single asset real estate Chapter 11 bankruptcies.

### Published Opinions

*First Southern National Bank v. Sunnyslope Housing Limited Partnership (In re Sunnyslope Housing Limited Partnership)*, \_\_\_ F.3d \_\_\_, (9th Cir. May, 2017)

*Compass Bank v. Bennett*, 2016 WL 3063779, \_\_\_ Ariz. \_\_\_ (App. May 31, 2016)

*Arizona Bank & Trust v. James R. Barrons Trust*, 237 Ariz. 401 (App. 2015)

*CSA 13-101 Loop, LLC v. Loop 101, LLC*, 236 Ariz. 410 (2014) (filed brief for amicus curiae)

*In re Sunnyslope Housing Limited Partnership*, 2012 WL 603573 (B.A.P. 9th Cir. 2012)

*CML-AZ Blue Ridge, LLC v. Blue Ridge Plaza E., LLP*, 2012 WL 588813 (D. Ariz. 2012)

*In re Bender*, 586 F.3d 1159 (9th Cir. 2009)

*In re First Magnus Fin. Corp.*, 2009 WL 7809001 (B.A.P. 9th Cir. 2009)



ENGELMAN | BERGER, PC  
ATTORNEYS AT LAW

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### Publications

*Easing the Pain of the Mortgage Foreclosure Mess: How The Arizona Anti-Deficiency Statutes Protect Homeowners*, Family Law News (December 2009)

*FOIA Frustration*, 46 Ariz. L. Rev. 815 (2004)

### Seminars

Frequent CLE presenter, presentations on the Arizona anti-deficiency statutes, exemptions under Arizona law and the U.S. Bankruptcy Code, and bankruptcy basics.