



# DANIAL D. PHARRIS

## PRINCIPAL

## PRACTICE EMPHASIS

For 38 years Dan Pharris has been a business attorney with Lasher's Commercial Litigation Group and Trusts and Estates Litigation Group. He chairs the Creditors' Rights and Bankruptcy Practice Group. He regularly represents businesses, creditors, debtors, and receivers and also serves as a receiver.

Dan acts as general counsel for clients that range from national and regional businesses and financial institutions but are also often business investors, closely held corporations, LLCs, owners and co-owners, including family members in trust and probate cases and divorces involving disputed businesses and assets.

## EDUCATION

Seattle University School of Law

- Juris Doctor, 1983

Western Washington University

- Bachelor of Arts, 1978

## PRACTICE AREAS

- Commercial Litigation
- Creditors' Rights & Bankruptcy
- Trusts & Estates Litigation

## PUBLICATIONS

- Using Receivership in a Variety of Business Disputes, King County Bar Association
- Creditors Should Consider the Impacts of Bankruptcy, Seattle Daily Journal of Commerce
- Single Asset Real Estate Bankruptcy Cases, King County Bar Association



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### REPRESENTATIVE BUSINESS LAWSUITS AND RECEIVERSHIP CASES

- Represented one of several business owners in a state court lawsuit that involved a 48 unit apartment project with ground floor retail, and resulted in a 7 day trial. Dan's client was awarded judgment against the other owners for breach of fiduciary duties, fraudulent transfers, to quiet title, injunctive relief, appointment of a receiver to wind down and dissolve the LLC, and to sell all of the LLC assets that were applied to pay the client's judgment.
- Represented the owner of a chain of businesses wrongfully placed into receivership and after a 5 day trial in federal court successfully obtained dismissal of a \$2 million fraudulent transfer lawsuit.
- Acted as a receiver as part of a settlement of a probate estate to wind down and dissolve trusts, LLCs and corporations, liquidate real and personal property and distribute the proceeds to owners and other creditors and parties in interest.
- Successfully defended business owners against a \$2 million lawsuit for alleged breach of joint venture and partnership agreements, and fraudulent transfers, which was dismissed after a 5 day trial.
- Represented trustees of trusts in ancillary receivership proceedings to wind down, dissolve, liquidate and distribute assets.
- Represented a trustee as a plaintiff in a breach of contract/breach of warranty case involving defective steel supplied to a commercial dam construction project that resulted in a multi-million dollar award after a 30 day jury trial in US District Court.
- Represented a trustee in a lawsuit against the former CEO to recover funds allegedly embezzled from the sale of commercial aircraft. Worked with London and Geneva counsel to obtain discovery and trace funds through London and Zurich bank accounts.
- Represented business owners in a \$50 million lawsuit by a trustee suing for alleged fraudulent transfers and leveraged buyout that resulted in a favorable settlement.
- Represented the receiver in a corporate receivership involving mass tort personal injury wrongful death claims and complex insurance coverage issues.
- Represented a seafood processor in receivership proceedings involving sale of the business, negotiations with landlords and other creditors.
- Acted as receiver or attorney for receiver in numerous multi-family and commercial real estate projects.
- Represented lender in multiple receivership proceedings for failed real estate projects, sale of projects, and lawsuits against guarantors.
- Represent multiple business owners in lawsuits with co-owners for wind-down and receivership.
- Represented beneficiaries of trusts in lawsuits for fraud and breach of fiduciary duties and related bankruptcy court proceedings.
- Represent multiple commercial businesses in breach of contract claims with customers and related lien foreclosures, construction disputes and related bankruptcies.



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### REPRESENTATIVE BANKRUPTCY PROCEEDINGS

- Obtained Bankruptcy Court approval of a Debtor's Plan of Reorganization in the first asbestos related Chapter 11 case in the Northwest including a Johns Mansville-type personal injury trust and mass tort channeling injunction.
- Represented a group of creditors to defeat the reorganization plan of cable television operating company and its subsidiaries and obtained court approval of a Creditor's Plan of Reorganization. All creditors were paid in full.
- Represented the creditors committee in an Alaska based on-shore fish processor chapter 11. Confirmed a Plan of Reorganization on behalf of the Creditors Committee and successfully subordinated tens of millions claimed by insiders.
- Represented the Creditors Committee in a case involving an insolvent escrow and recovered creditors trust funds embezzled from their accounts.
- Confirmed a Plan of Reorganization on behalf of an owner of a restaurant chain, with full payment to all creditors.
- Confirmed Plans of Reorganization and cram down interest rates to refinance multiple apartment and commercial real estate projects.
- Confirmed Plan of Reorganization for home builder and to satisfy all creditors and discharge all debt including 10 different lenders that financed hundreds of homes and lots in multiple housing tracts.
- Confirmed Plan of Reorganization involving owner of several different multi-family apartment and condominium projects in addition to office buildings and other mixed use commercial real estate operations and refinance/restructuring of all debt.
- Confirmed Plan of Reorganization for heavy construction equipment dealer.
- Obtained \$2 million judgment in bankruptcy court lawsuit against trustee for fraud and breach of fiduciary duties.



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# DANIAL D. PHARRIS

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### PRESENTATIONS

- “Landlord-Tenant Law: Rapid-Fire Updates,” National Business Institute, October 2021
- “Leases, Evictions and More: Landlord-Tenant Law 2021,” National Business Institute, February 2021
- “Landlord-Tenant Law: When a Tenant Files Bankruptcy/Receivership,” National Business Institute, December 2018
- “Preferences and Fraudulent Transfers,” National Business Institute, August 2015
- “Credit and Bankruptcy Issues,” National Business Institute, August 2014
- “Creditor Remedies Available in Bankruptcy,” National Business Institute, December 2013
- “Top 6 Complications in Bankruptcy,” National Business Institute, August 2013
- “Fundamentals of Landlord-Tenant Law,” Sterling Education Services, July 2013
- “Bankruptcy and Debtor-Creditor Law,” King County Bar Association Continuing Legal Education, April 2013
- “Collections and FDCPA Compliance,” National Business Institute, December 2012
- “Bankruptcy Litigation 101,” National Business Institute, March 2012
- “Effective Creditor Representation in Bankruptcy,” National Business Institute, 2011
- “Uniform Commercial Code: Article 9,” Sterling Education, 2011
- “Seeking and Collecting a Judgment,” National Business Institute, 2011
- “Bankruptcy’s Implication in Collection,” National Business Institute, 2011
- “Nuts and Bolts of Collection,” National Business Institute, 2011
- “Real Estate Loans and Workouts,” National Business Institute, 2010
- “Landlord/Tenant Law in Bankruptcy,” Sterling Education, 2009
- “Real Estate Workouts,” National Business Institute, 2007
- “Washington State Receiverships,” King County Bar Association, 2005
- “Aligning Your Practice with the BAPCPA Bankruptcy Amendments of 2005,” National Business Institute
- “Bankruptcy Reform Update—One Year Later,” National Business Institute
- “The 2004 Washington State Receivership Act,” King County Bar Association
- “Advanced Real Estate Law: Credit and Bankruptcy Issues,” National Business Institute
- “Landlord-Tenant Law Update,” Sterling Education Services
- “Collection Law from Start to Finish,” National Business Institute
- “Effective Commercial Foreclosure Strategies,” National Business Institute
- “Loan Workouts and Receiverships,” National Business Institute
- “Single Asset Real Estate Bankruptcy Cases,” King County Bar Association
- “Advising the Financially Troubled Business,” Washington State Bar Association
- “Introduction to the Most Common Forms of Bankruptcy: Chapter 7, 11 and 13,” Eleventh Annual Pacific Northwest Bankruptcy and Credit Seminar
- “Successful Collection of Judgments in Washington,” National Business Institute
- “Construction in Bankruptcy,” King County Bar Association
- “Proposed Amendments to the Bankruptcy Code,” National Association of Credit Management National Convention



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### PRESENTATIONS, CONT'D.

- "Fair Debt Collection Practices Act: Compliance for the Washington Practitioner," National Business Institute
- "Creditors' Rights and Protection of Security Interests In Bankruptcy," Sterling Education Services

### PROFESSIONAL & CIVIC

- Martindale-Hubbell AV Preeminent (highest) rating
- Named Super Lawyer by Washington Law & Politics and Washington Super Lawyers magazines, 2007-2011
- American Bar Association, Corporation, Banking and Business Law Section
- Federal Bar Association, Bankruptcy Practice Committee
- King County Bar Association Bankruptcy Section
- Washington State Bar Association Creditor-Debtor and Real Property Trust and Probate Section
- American Bankruptcy Institute
- National Association of Credit Management
- Dan is a regular speaker for a number of professional organizations including Washington State Bar Association, Washington Society of CPA's, the National Association of Credit Management and other organizations.



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