

Snell & Wilmer



Donald L. Gaffney

Partner | Phoenix

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Main Bio

Don Gaffney is the firm's senior partner in bankruptcy, reorganization and workout law. He also has significant experience in privacy law, electronic payments and commercial litigation.

Representative Experience

Recent Significant Matters

- Lead lawyer in trial of multi-million dollar receivership proceeding of golf/resort community
- Co-lead counsel of secured lender in major casino Chapter 11 in Las Vegas
- Lead counsel to principal creditor in Chapter 11 of large land holding company filed in Nevada
- Lead attorney for bankruptcy trustee of interstate law firms that recovered \$5.4 million for penniless estate
- Lead litigation attorney for bankruptcy estate in recovery of \$1,750,000 for cashless estate
- Lead attorney for acquisition of NBA minor league team site from Chapter 11 Debtor
- Lead attorney for lender in acquisition of 15,000-acre real estate project in Arizona
- Co-Counsel for utility in ruling that green-compliant electric power contracts could be bankruptcy exempt
- Lead attorney for investor group in acquisition of Westin La Paloma and Westin Hilton Head Island resorts out of Chapter 11
- Lead attorney for bank group in Fulton Homes Corporation Chapter 11
- Lead attorney for bank group/litigation committee in Woodside Homes, Inc. Chapter 11; obtained \$110 million injunction at trial relating to turnover of tax refunds
- Lead attorney for bank with \$50 million facility in Meruelo Maddux public company Chapter 11
- Co-counsel for principal secured lender in Phoenix Coyotes Chapter 11
- Lead attorney for involuntary bankruptcy petitioners in Mortgages Ltd. fraud
- Appointed first federal Consumer Privacy Ombudsman in case involving internet companies operating official Amber Alert Systems
- Representation of syndicated lenders group in Capital Pacific Homes multi-state receivership

Education

- University of Texas (J.D., with honors, 1978)
 - Editor, Texas Law Review
- Austin College (B.A., 1974)
 - Austin Scholar

Professional Memberships & Activities

- Federal Bar Association, Phoenix Chapter, President (2015-2016)
- Ninth Judicial Circuit Historical Society, Board of Directors (2011-present)
- Ninth Circuit Lawyer Representative (2005-2008)
- State Bar of Arizona
 - Twice Chair of the Bankruptcy Section
- University of Texas Law School
 - Executive Council of Alumni Association (2009-2015)
- American Bar Association
 - Committee on Uniform Commercial Code (1980-present)
- Commercial Law League
 - Member: Speaker Panel throughout United States
- Arizona State University College of Law, Former Adjunct Professor
- Practicing Law Institute, Speaker
- Arizona Bankers Association, Speaker
- American Loan Institute/American Bar Association
 - Professional Educational Systems, Inc., Speaker
- American Bankruptcy Institute, Speaker
- Keeton Fellow, University of Texas Law School

Representative Presentations & Publications

- "[Forever 21's Simple Capital Structure Could Ease Bankruptcy](#)," Quoted, Bloomberg Law (October 3, 2019)
- "2019 Outlook: Plenty of Restructuring Work Ahead," Quoted, Bloomberg Law (January 2, 2019)
- "Advanced Bankruptcy Litigation," Speaker, National Business Institute (2016)
- "*Stern v. Marshall*, The Impact on Bankruptcy Jurisdiction," Author, Federal Bar Association (2011)
- "Impact of Confidentiality Rules in Bankruptcy Proceedings," Teleconference Chair, Lorman Education Services (October 13, 2009)
- "Third Party Releases," Speaker, American Bankruptcy Institute Spring Meeting, Washington, DC (April 2009)
- "On the Passing of Law Firm Libraries," Author, Arizona Bar Journal (August 2007)
- "Privacy Law Compliance in a Global Business Environment, Meeting the Legal Requirements for Cross-Border Exchange of Data," Teleconference Chair, Strafford CLE Teleconferences (March 2007)

Professional Recognition & Awards

- The Best Lawyers in America®, Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law (1995-2020); Bankruptcy Litigation (2012-2020); Commercial Litigation (2013-2020)
 - Lawyer of the Year, Bankruptcy Litigation (2015)
 - Lawyer of the Year, Phoenix Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2014)
- [State Bar of Arizona 2018 Bankruptcy Section Pro Bono Superhero Award](#)
- Southwest Super Lawyers®, Bankruptcy: Business (2017-2019), Bankruptcy & Creditor/Debtor Rights (2013-2015), Bankruptcy (2007-2012)
 - Top 25 in Arizona (2012)
 - Top 50 in Arizona (2009-2011)
- Super Lawyers®, Bankruptcy - Business Edition (2011)
- Super Lawyers®, Bankruptcy - Corporate Counsel Edition (2009-2010)
- Lawdragon Top 3000 Leading Lawyers in America (2010-2011)
- Ranking Arizona: The Best of Arizona Attorneys, Bankruptcy (2010-2011)
- Arizona's Top Lawyers, Arizona Business Magazine (2010)
- Arizona's Finest Lawyers
- Who's Who in American Law (1992-present)
- Who's Who in America® (2006)

Bar Admissions

- Arizona

Court Admissions

- Supreme Court of Arizona
- United States Supreme Court
- United States Court of Appeals, Seventh Circuit
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Tenth Circuit