



## Attorney David Wm. Engelman

### Shareholder

dwe@eblawyers.com

602.271.9090 MAIN

602.222.4975 DIRECT

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3636 North Central Avenue, Suite 700, Phoenix, Arizona 85012

### Practice

Bankruptcy and Reorganization

Creditors' Rights

Loan Workouts

Business and Financial  
Restructuring

Real Estate

Loan Documentation

Mediation

Buying and Selling of Businesses

Automobile Dealership Law

Credit Union Law

### Education

John Marshall Law School, J.D.  
with honors 1975

Antioch College, B.A. 1972

### Admissions

Ninth Circuit Court of Appeals

### Assisted By

Marie Kelly

Super Lawyers

*David Wm. Engelman* brings a longstanding commitment to efficient and effective client service developed over 25 years as a solo practitioner and 17 years managing a small firm. He integrates that style with a similar commitment to providing quality legal services to his clients. The success of this approach is evidenced by the retention of clients for over 35 years.

David is an experienced attorney whose practice focuses on commercial law. He has engaged in a wide variety of areas over his career, including banking and credit union law, loan and contract drafting, bankruptcy representation for commercial creditors and debtors, loan workouts, and business and agricultural matters. David currently concentrates his practice areas to business deals, including buying and selling businesses, banking and credit union matters, loan originations, loan workouts, complex business disputes, and commercial bankruptcy matters.

### Focus

To build and maintain long-lasting successful business relationships by offering personalized and individualized service designed to meet the client's needs.

### Clients

Appliance Wholesalers, Automobile Dealerships, Commercial Lenders, Dairy, Cattle and other Farmers, Financial Institutions, Golf Courses, Hard Money Lenders, HUD - Affordable Housing, Financial Investors, Non-profits, Real Estate Developers, Small Business Owners

### Industries

Agriculture, Banking, Construction, Credit Union, Finance, Hospitality and Lodging, Investments, Real Estate, Transportation

### Bar Associations

State Bar of Arizona

Bankruptcy Section

Former Pro Bono Chairman

Former Chairman of Judicial  
Relations Committee

Maricopa County Bar Association

American Bar Association

Law Practice Management

American Bankruptcy Institute



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### Recognition

*Southwest Super Lawyers*<sup>®</sup>, Bankruptcy, 2008-2017

William Morris Pro Bono Service Award, Arizona Bar Foundation, 2004

William Birmingham Clinic Services Award, Volunteer Lawyers Program, 1995 and 1999

Frank Gordon Traveling Award for Volunteer Attorney of the Year, Volunteer Lawyers Program, 2009

Pro Bono Attorney of the Year, Arizona Supreme Court, 2010

Recipient of the Golden Rule Award from Arizona Interfaith Movement, 2012

### Career Highlights

Representation of numerous lenders and borrowers in commercial and agricultural loan origination matters, including drafting and negotiating loan agreements and related commercial finance documents.

Representation of lenders and borrowers in loan workouts, including negotiating and drafting forbearance and modification agreements.

Representation of lenders in commercial foreclosure matters, including handling trustee sales and follow up deficiency actions.

Conversion of federally chartered credit unions to state chartered credit unions.

Representation of a large credit union, handling all its bankruptcy files, loan disputes, regulatory issues, title disputes, and day-to-day general legal matters. Drafted various documents for the credit union, including loan documents and motor vehicle dealer finance agreement.

Representation of various farmers in chapter 11 and chapter 12 bankruptcies, with positive outcomes.

Successfully represented a new homebuilder in the orderly Chapter 11 liquidation of its partially constructed homes.

Represented an owner of an apartment complex in successful business reorganization, permitting the client to sell the complex for a tidy profit.

Representation of a major resort through bankruptcy.

Represented a purchaser in the acquisition of \$40 million worth of assets from a bankrupt fiber optic business. This involved the negotiation with over 25 different lessors and contractors to adjust and resolve lease and contract disputes, as well as the negotiation with various mortgagees of real property.

Representation of a creditors' committee in the Chapter 11 case of a primary school and nursery school holding company, resulting in the successful sale and spin-off of schools as going concerns.

Successful bankruptcy liquidation of medical provider company. Representation of asset purchasers from various bankruptcy estates. Drafting and reviewing numerous commercial loans on behalf of lenders.



ENGELMAN | BERGER, PC  
ATTORNEYS AT LAW

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### Published Opinions

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

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

National Union Fire Ins. Co of Pittsburgh, Pa. v. Greene, 195 Ariz. 105, 985 P.2d 590 (Ariz. App. Div 1, 1999)

Oyakawa v. Gillette, 175 Ariz. 226, 54 P.2d 1212 (Ariz. App. Div. 1, 1993)

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

### Seminars

Speaker and panelist at bankruptcy seminars

Conducting bankruptcy tutorials for new attorneys

Business Law adjunct teacher at Phoenix College (1990-1995)

### Community Service

Active in various charitable and civic matters in the community for over 40 years

Current member of Volunteer Lawyers Program Advisory Board

Currently supervises Financial Distress Clinic, a monthly clinic offering free legal advice to community

Mentor for new participating lawyers of Volunteer Lawyer Program

Former board memberships are:

Hillel at ASU

Arizona Interfaith Movement

Temple Chai

Jewish Community Center

American Jewish Committee