



Dale C. Schian

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Super Lawyers



DALE SCHIAN REPRESENTS businesses and individuals in commercial creditor and debtor matters, emphasizing out-of-court workouts, restructurings, and Chapter 11 reorganizations. Over the years, he has represented clients in a wide variety of businesses, including manufacturing, retail, high-tech, agribusiness, commercial real estate, multi-family housing, and real estate development.

Mr. Schian's peer recognition includes his 2016 and 2018 selections as Phoenix "Lawyer of the Year" (Litigation – Bankruptcy) by *The Best Lawyers in America*®.

His experience in complex financial litigation provides a solid foundation for his services in alternative dispute resolution, both as an advocate and as a neutral, and as a leader in the emerging practice area of settlement advocacy. His many years of experience in resolving matters after judgments have been entered gives him a special skill set in analyzing the parties' underlying objectives and working to resolve complex matters without the time, expense and delay associated with a trial.

Mr. Schian is a member of the American Bar Association's Business Law Section and Dispute Resolution Section (Mediation Committee, ADR Practice Management, Business and Skills Development Committee). He also served on the ABA Law Practice Division's Ethics & Professional Responsibility and Member Development committees.

In 2017, Mr. Schian was appointed to a three-year term as a Lawyer Representative to the Ninth Circuit Judicial Conference. He is a past chair of the Bankruptcy Section of the State Bar of Arizona and is a member of the State Bar's Bankruptcy and Business Law Sections. He is also a member of the American Bankruptcy Institute and the Arizona Bankruptcy American Inn of Court, and a past member of Bankruptcy Advisory Commission to the Arizona Board of Legal Specialization.

His support of Arizona's legal community includes being a Fellow of the Arizona Foundation for Legal Services & Education. He is a Super Lawyers and *Best Lawyers in America* honoree, a member of Arizona's Finest Lawyers, and listed in Corporate Counsel's Top Lawyers in Bankruptcy Debtor-Creditor Rights Law.

PRACTICE AREAS

Bankruptcy
Corporate Restructuring and Reorganization
Alternative Dispute Resolution
Settlement Advocacy

HONORS AND AWARDS

AV-Preeminent™ Peer Rating, Martindale-Hubbell®
"Lawyer of the Year," Litigation – Bankruptcy (Phoenix), *The Best Lawyers in America*, 2016, 2018
The Best Lawyers in America: Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law (2009-present), Bankruptcy Litigation (2011-present)
Super Lawyers (Bankruptcy & Creditor/Debtor Rights), 2010-present
Arizona's Finest Lawyers, 2011-present

PROFESSIONAL MEMBERSHIPS

American Bar Association: Business Law Section, Dispute Resolution Section, Law Practice Division; Southwest Region Coordinator, Mediation Week (2017), Dispute Resolution Section
American Bankruptcy Institute
Lawyer Representative, Ninth Circuit Judicial Conference, 2017-2020
Federal Bar Association, Phoenix Chapter
State Bar of Arizona: Member, Bankruptcy Section (Past Chair) and Business Law Section
Arizona Bankruptcy American Inn of Court
Arizona Foundation for Legal Services and Education

SIGNIFICANT DECISIONS

In re Loop 76, LLC, 442 B.R. 713 (Bankr. D. Ariz. 2010)
In re Building Blocks Child Care Centers, Inc., 234 B.R. 762 (B.A.P. 9th Cir. 1999)

ARTICLES AND PRESENTATIONS

"Chapter 11 Plan Negotiations," Sandra Day O'Connor College of Law, Arizona State University, Chapter 11 Bankruptcy, Spring 2017
"The Circuits Agree: Absolute Priority Rule Applies in Individual Chapter 11 Cases," ABI Real Estate Committee Newsletter, March 2016
"Recharacterization of Debt to Equity in Bankruptcy Proceedings: A Split in the Circuits" (co-author), ABI Bankruptcy Litigation Newsletter, January 2016
"Loop Becomes a Knot: The Importance of More than One Impaired, Consenting Class and Other Takeaways from *In re Loop 76 LLC* (co-author), ABI Real Estate Committee Newsletter, September 2014
"The Nature of Single Asset Real Estate," Arizona Trustee Association, 24th Annual AIA Convention, September 2011
"The Nature of Single Asset Real Estate," Bankruptcy Section Program, State Bar of Arizona Convention, June 2011
"*In re Loop 76*: Bankruptcy Court for the District of Arizona Holds Separate Classification of Undersecured Creditor's Deficiency May Be Required by § 1122(a)," ABI Real Estate Committee Newsletter, February 2011
"Bankruptcy Symposium" (Seminar Chair), State Bar of Arizona, 2010
"Planning for a Fresh Start," Maricopa County Bar Association CLE, 1999
"Section 1111(b)(2): Preserving the *In Rem* Claim," 67 Am. Bankruptcy L.J. 479, 1993
"Real Estate Bankruptcies" (co-author), Maricopa County Bar Association CLE, 1990
"Partnership Bankruptcies," Maricopa County Bar Association CLE, 1990
"Receiverships: The Nuts & Bolts," State Bar of Arizona, 1991
"Advanced Guaranty Litigation," State Bar of Arizona, 1992
"Single Asset Bankruptcies: The Journey to Legitimacy," State Bar of Arizona, 1995

COURT ADMISSIONS

U.S. Supreme Court, 2010

U.S. Court of Appeals, Ninth Circuit, 1985

U.S. District Court, District of Arizona, 1985

State Bar of Arizona, 1985

EDUCATION

J.D., cum laude, American University, Washington College of Law, 1985

B.A., Michigan State University, 1982

BIRTHPLACE

Marlette, Michigan