



# Stefan Palys

Partner

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Stefan is a versatile trial and appellate attorney who helps businesses and individuals solve their legal problems.

Stefan works with clients to find creative, efficient resolutions to a full range of commercial disputes. A pragmatist focused on strategic solutions, he is also very much at home in the courtroom. When the best option is to take a case to trial, he is a tenacious and effective advocate. Stefan is frequently brought in as a “fixer” to salvage cases after other attorneys have failed to produce results or properly work up the case. In other instances, Stefan is brought in before trial to serve as appellate counsel. In that role, he works with trial counsel to make sure issues are preserved and best positioned for appeal, advises on strategic issues for trial, writes summary judgment and other key briefs, and then handles the appeal.

His litigation experience is broad, covering a range of high-stakes matters in state and federal courts around the country. His commercial litigation experience has included trials and arbitrations, covering matters such as breaches of contract, fraud and breach of fiduciary duty claims, civil RICO claims, federal and blue sky securities issues, business divorces and derivative actions, trade secret and intellectual property issues, False Claims Act cases, bankruptcy adversary proceedings, labor and employment disputes, as well as civil rights and First Amendment cases. He also has experience enforcing creditors’ rights, including through receiverships and by exercising their rights under the UCC.

Stefan serves large and small businesses and individuals operating in a wide variety of industries, from entertainment and professional sports to banking, aviation, construction, real estate, and others.

## Services

- Litigation
- Corporate
- Appellate Practice
- Securities Industry
- E-Discovery
- Directors' & Officers' Liability & Corporate Governance

## Before Fox Rothschild

Stefan joined us from a national law firm. He previously practiced at regional and national firms and is also a former clerk for the Arizona Court of Appeals.

While earning his law degree, Stefan was a prosecutor with the Pima County Attorney's Office Prosecution Clinic. At law school, he earned the Sullivan Antitrust Award, the Excellence in First-Year Legal Writing Award and the CALI Bankruptcy Award.

## Representative Matters

### Business Litigation

- Represented multiple municipalities in cases involving prosecutorial immunity and constitutional issues.
- Represented a religious institution in litigation involving the right to free expression.
- Represented an LLC's members in a dispute concerning a manager's breaches of fiduciary and contractual duties.
- Represented business owners in efforts by opposing ownership groups to obtain control of the entities, including successfully defending against receivership applications.
- Successfully defended franchisee against franchisor's attempt to close the business using a foreign temporary restraining order.
- Represented indenture trustees in litigation concerning the enforcement of municipal and industrial development bonds.
- Represented a potential sports franchise purchaser in bankruptcy litigation with the league in an effort to obtain an ownership interest.

### Appellate

- Obtained a favorable opinion from the Arizona Supreme Court concerning a personal jurisdiction issue.
- Obtained a favorable opinion from the 9th Circuit Court of Appeals on a matter of first impression concerning prosecutorial immunity.
- Represented a national bank before the Arizona Court of Appeals and Arizona Supreme Court on anti-deficiency issues.
- Represented a national bank before the Arizona Court of Appeals on loan enforcement and lender liability issues.
- Obtained a favorable disposition from the 9th Circuit Court of Appeals on an immigration issue.

### Bar Admissions

- District of Columbia
- Virginia
- Arizona
- Nevada

### Court Admissions

- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. District Court, District of Arizona
- U.S. District Court, District of Maryland
- U.S. District Court, District of Nevada
- U.S. Bankruptcy Court, District of Arizona
- U.S. Bankruptcy Court, District of Columbia
- U.S. Bankruptcy Court, District of Nevada
- U.S. Bankruptcy Court, Eastern District of Virginia
- U.S. Bankruptcy Court, Western District of Virginia

### Education

- University of Arizona James E. Rogers College of Law (J.D., *magna cum laude*, *Order of the Coif*, 2006)
- Wake Forest University (B.A., 2002)

## Memberships

- American Bar Foundation, Fellow (2014-present)
- American Bar Association
  - House of Delegates Representative (2016-2018)
  - Tort, Trial and Insurance Practice Section Leadership Academy (2016-2017)
  - Vice Chair of Corporate Counsel and Appellate Committees (2017-2019)
  - Young Lawyers Division Assembly Speaker (2015-2016) and Assembly Clerk (2014-2015)
- Maricopa County Bar Association Young Lawyers Division, President (2010), Secretary (2009)
- Wake Forest University Alumni Club
  - Phoenix Chapter Founder and President (2002-2006)
  - Tucson Chapter Founder and President (2006-2010)

## Board of Directors

- TriScottsdale (2019-2020)
- Phoenix Theater (2008-2015)
- State Bar of Arizona Young Lawyers Division Board (2007-2011)

## Honors & Awards

- Selected to the "Super Lawyers" list for Business Litigation in the Southwest (2017)
- Selected to the "Super Lawyers - Rising Stars" list for Business Litigation in the Southwest (2013-2016)
- Selected to the "Star of the Year" list by the American Bar Association Young Lawyers Division (2013)