

Josh Rataezyk

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Professional Overview

Josh advises businesses in all aspects of commercial litigation with an emphasis in bankruptcy and collection. He has extensive experience defending clients in bankruptcy avoidance actions and has also represented numerous receivers and creditors in receivership actions throughout Washington State. As a former assistant general counsel at GE Capital Franchise Finance Corp., Josh was primarily responsible for overseeing all bankruptcy, litigation, and restructurings for the company's servicing and collection departments.

Representative Matters

- Represented the prevailing party in *Northwest Wholesale v. Pac Organic Fruit Fruit, LLC, et al.*, 184 Wn.2d 176, 357 P.3d 650 (2015), cert. denied ___ U.S. ___ (2016), in which the Washington Supreme Court rejected contrary federal bankruptcy court case law to become the first state appellate court in the country to hold that the dissociation provisions of a state limited liability statute are not preempted by the so-called "*ipso facto*" provisions of the United States Bankruptcy Code.
- Represented large corporation in defense of avoidance actions in Chapter 7 and Chapter 11 proceedings.
- Representation of holder of multi-million dollar judgment in collection litigation in bankruptcy and state court; successfully sought appointment of chapter 11 trustee and conversion of bankruptcy case to chapter 7; obtained denial of judgment debtor's discharge in bankruptcy court.
- Represented apartment building owner in chapter 11 bankruptcy proceedings; successfully confirmed Plan of Reorganization.
- Representation of general receiver with respect to preservation, marketing, and liquidation of 24 unit condominium development.
- Representation of large bank in lender liability action; obtained summary judgment on all claims in wrongful foreclosure action challenging creditor's entitlement to enforce loan documents.
- Representation of regional bank in state court collection action; obtained and collected multi-million dollar judgment in favor of secured creditor.

Articles and Presentations

- Presenter, "Washington Receiverships," HCMP Lender Services Seminar, March 27, 2018

Honors / Awards / Prior Experience

- Attorney, Davis Wright Tremaine, 2009 - 2015
- Assistant General Counsel, GE Capital, 2007 - 2009
- Attorney, Davis Wright Tremaine, 2005 - 2007

Education

- J.D., Gonzaga University, cum laude, 2002
Dean's List
L. Warden Hanel Bankruptcy Scholarship
- B.A., Yale University, 1996
Four-year letterman, varsity baseball

Bar/Court Admissions

- Washington State Courts
- U.S. District Court for the Western and Eastern Districts of Washington
- U.S. Court of Appeals 9th Circuit
- U.S. Bankruptcy Court for the Western and Eastern Districts of Washington