

# T. Richard Davis

## Of Counsel



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## Overview

Rick Davis is practicing in an of counsel relationship with Dentons Durham Jones Pinegar's in the Salt Lake city office. Having served as president and/or board member of two prior law firms for 25 of his 40 year legal career, he is now enjoying his focus exclusively on substantive legal matters as member of the Real Estate, Banking and Litigation practice groups.

Rick's primary focus has been in the representation of financial institutions in the documentation and enforcement of commercial lending industry, with broad and deep experience in both the transactional and litigation arenas.

His litigation experience has found him presenting trial cases in Federal and State forums in Utah, Idaho, Nevada and Arizona, and an appellate practice in the 10th Circuit and the US Supreme Court.

He also often represents real estate real estate developers, contractors, home owner associations, and property owners resolve their real estate problems, including boundary disputes, easement establishment and enforcements, and troubled purchase/sale transactions

## Experience

- **Zions Bancorporation:** Over 30 years drafting real estate financing documents and the occasional restructure thereof. Sometimes, the difficult ones become difficult litigation:
- **SunCrest:** Leading a 5-year complex series of legal issues concerning a troubled 3,900 acre residential real estate project that was placed in bankruptcy, prosecuting and defending numerous related suits which were threatened and filed for enforcement of loan documents, lender liability, quiet title, failure of construction improvements, and failure of anticipated sale of project.
- **Bruce McDermott:** Representing the lender in what began as a common foreclosure action which developed into a lien contest between the Bank and the IRC, finally ending by Davis' argument before the US Supreme Court.
- **Western AgCredit:** Advising and negotiating successful workouts and liquidations with farmers and ranchers, sometimes within the bankruptcy or state court environment.

# Recognition

- *Super Lawyers* – Real Estate
- America's Most Honored Professionals designation
- *Martindale Hubbell* – AV Highest Rating
- *Utah's Legal Elite* – Real Estate and Banking
- *Best Lawyers in America*: Real Estate
- Utah Nonprofits Association: presented with the Heart & Hands Award 2018
- Utah State Bar 2016: presented with the Scott M. Matheson Award (Education of Youth in Law)
- Utah State Bar 2011: presented with the State Bar Professionalism Award
- Utah State Bar Banking and Finance Section 2019: presented with Distinguished Service Award

# Insights

- "Boundary Disputes in Utah," NBI, 1992
- "Real Estate Foreclosures," Lorman, 1995

# Activities and Affiliations

## Memberships

- Member, Utah State Bar, Real Estate, Banking and Litigation sections, 1980-present
- Founder and Current President, Senior Attorney Section, 2018-present
- Co-Chair, Third District Pro Bono Committee, Utah State Bar, 2010-present
- Outside Board Member, Pitney Bowes Bank, Inc., 2016-present
- Board Member, Salt Lake Salt Lake Education Foundation, 2010-2019; President, 2015-2017
- President of Board, Cystic Fibrosis Foundation: Utah-Idaho Chapter, 2008-present
- Member of Law Office Management, Litigation & Real Property sections, ABA, 1987-2017
- Board & Executive Committee, Economic Development Corp. of Utah, 2004-2009
- Gov. Affairs Advisory Committee, Salt Lake Chamber of Commerce, 2002-2010; Member, Salt Lake Chamber of Commerce, 1996-2015
- Boy Scouts of America; Council, District and Unit Leader, 1974-2019; Silver Bear Award
- Member, University of Utah Alumni Association
- Member, Sigma Chi Fraternity Alumni Association
- President, East High School Alumni Association
- Executive Committee, Timpanogos Dinner Club, 2015-2017

## Prior and Present Employment

- Board Member & Shareholder, Prince Yeates & Geldzahler, 2016-2019
- President, Board Member & Shareholder, Callister Nebeker & McCullough, 1986-2016
- General Counsel & Managing Member of Real Estate Investment Group, The Hansen Group, LLC, 2001-2002
- Associate Attorney, Marsden Orton & Liljenquist, 1980-1986
- Small Claims Court Judge, Third Judicial District, Salt Lake County. 1983-1999

## Areas of focus

### Practices

- **Real Estate Finance**
- **Real Estate Litigation and Dispute Resolution**
- **Out-of-Court Restructurings and Work-outs**

### Industry sectors

- **Financial Institutions**
- **Professional Services**
- **Private Equity**

## Education

- University of Utah College of Law, 1980, JD
- University of Utah, 1977, MBA
- University of Utah, 1976, B.S. Accounting

## Admissions and qualifications

- Utah
- US Court of Appeals for the Tenth Circuit
- US Supreme Court